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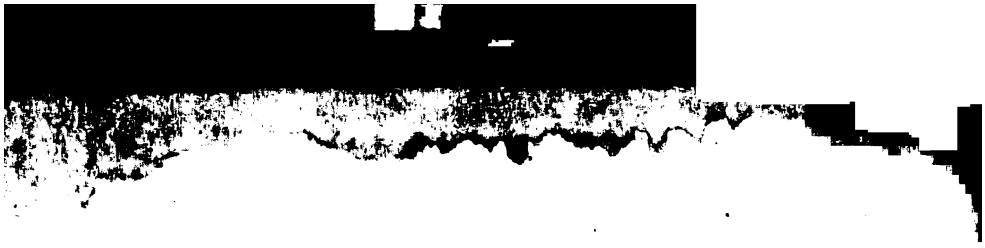

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 5.

REPORT

OF THE

SECRETARY OF THE INTERIOR;

BEING PART OF

THE MESSAGE AND DOCUMENTS

COMMUNICATED TO THE

TWO HOUSES OF CONGRESS

AT THE

BEGINNING OF THE FIRST SESSION OF THE FIFTY-FOURTH CONGRESS.

IN FIVE VOLUMES.

VOLUME III.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1895.

LELAND STANFORD JUNIOR UNIVERSITY
A.25345

ANNUAL REPORT

OF

THE COMMISSIONER OF PATENTS

FOR THE FISCAL YEAR 1894-95.

DEPARTMENT OF THE INTERIOR,
UNITED STATES PATENT OFFICE,
Washington, August 5, 1895.

SIR: I have the honor to submit the following report of the business of the United States Patent Office for the fiscal year ending June 30, 1895:

Applications and caveats received.

Applications for letters patent	36,972
Applications for design patents	1,453
Applications for reissue patents	77
Applications for registration of trade-marks	2,183
Applications for registration of labels	318
Applications for registration of prints	11
Caveats	2,314
Tota	43,328

Patents granted, and trade-marks, labels, and prints registered.

Letters patent granted (including reissues and designs)	20,745
Trade-marks registered	1,804
Labels registered	None.
Prints registered	6
Total	22,555

Patents withheld and patents expired.

Letters patent withheld for nonpayment of final fee	3,208
Letters patent expired	12,906

Receipts and expenditures.

Receipts from all sources	$1,195,557.07
Expenditures (including printing and binding, stationery, and contingent expenses)	1,038,166.08
Surplus	157,390.99

Balance in the Treasury of the United States on account of the patent fund.

June 30, 1894	$4,409,366.74
June 30, 1895	157,390.99
Total	4,566,757.73

Number of applications awaiting action on the part of the office on July 1, 1895	4,927

Comparative statement.

Date.	Receipts.	Expenditures.
June 30, 1890	$1,347,203.21	$1,081,173.56
June 30, 1891	1,302,794.59	1,145,502.90
June 30, 1892	1,268,727.35	1,114,134.23
June 30, 1893	1,288,809.07	1,111.444.22
June 30, 1894	1,183,523.18	1,053,962.38
June 30, 1895	1,195,557.07	1,038,166.08

Applications for patents, including reissues, designs, trade-marks, labels, and prints.

June 30, 1890	43,810
June 30, 1891	43,616
June 30, 1892	43,544
June 30, 1893	43,589
June 30, 1894	39,206
June 30, 1895	41,014

Applications awaiting action on the part of the office.

June 30, 1890	6,585
June 30, 1891	8,911
June 30, 1892	9,447
June 30, 1893	8,283
June 30, 1894	7,076
June 30, 1895	4,927

Summarizing these tables: There were received in the fiscal year ending June 30, 1895, 36,972 applications for patents, 1,453 applications for designs, 77 applications for reissues, 2,314 caveats, 2,183 applications for trade-marks, and 318 applications for labels. There were 20,745 patents granted, including reissues and designs; 1,804 trade-marks, and 6 prints registered. The number of patents which expired was 12,906. The number of allowed applications which were by operation of law forfeited for nonpayment of the final fees was 3,208. The total expenditures were $1,038,166.08; the receipts over expenditures were $157,390.99, and the total receipts over expenditures to the credit of the Patent Office in the Treasury of the United States amount to $4,566,757.73.

CURRENT WORK.

In the last week in June, 1895, all but one out of the thirty-four divisions had their work within one month of date, and the remaining division was between one and two months from date. At the close of the fiscal year there were 4,927 applications awaiting action on the part of the office.

Very respectfully, your obedient servant,

JOHN S. SEYMOUR,
Commissioner.

The SECRETARY OF THE INTERIOR.

REPORT

OF

THE COMMISSIONER OF PENSIONS.

DEPARTMENT OF THE INTERIOR,
BUREAU OF PENSIONS,
Washington, September 30, 1895.

SIR: The number of pensioners on the rolls June 30, 1894, was 969,544. During the year following 39,185 new pensioners were added to the rolls, 4,206 who had been previously dropped were restored, and 42,411 were dropped for death and other causes. The net increase during the year was 980, and on June 30, 1895, the number of pensioners on the rolls was 970,524.

During the year 27,816 pensioners were reported as having died. The other droppings were because of the remarriage of widows, limitation of time in case of minors, failure to claim pensions for three years, adjudication that pensioners had no title to pension or that the right had ceased, and for other causes.

During the same period there were allowed 57,152 claims for increase, additional pension, and other changes, so that the whole number of certificates issued during the year was 96,337, and 103,355 claims of all kinds were rejected.

An act of Congress approved March 2, 1895, raised on and after that date the rate of all pensions then below $6 per month to that rate. It was deemed unnecessary to issue new certificates, which would require a large amount of labor, and therefore the pension agents were instructed to pay at the advanced rates upon the old certificates. As every certificate for a rate below $6 was by that act increased to $6, there was no chance for a mistake, and the plan adopted, besides saving the labor of a reissue of certificates, effectually guarded against any delay in paying the pensioners at the increased rates.

CONDITION OF THE WORK.

On July 1, 1895, there were in the pending files, undisposed of and in different stages of preparation and advancement, claims for pension or for increase to the number of 552,210, represented by 459,475 claimants,

of whom 248,710 were upon the pension rolls, and 210,765 were original claimants, or widows, or dependents not upon the rolls. The number of pending claims of this latter class is 76,444 less than at the beginning of the year. The number of new applications of all classes filed within the year was 37,060.

All the pending cases that have been in the Bureau any length of time have been examined, often repeatedly, as new evidence would come in, and are found still lacking in essential evidence to establish the claims. The delay in disposing of them is caused by the neglect or inability of the claimants or their attorneys to furnish such evidence, though notified repeatedly of what is lacking. Instead of doing so claimants and attorneys continually waste the time of examiners by repeated calls for the status of claims, after full information, and without responding to calls or doing anything to change the status, and by procuring Members of Congress and other officials to make similar calls. I referred to this abuse in my last report, and to the resulting waste of time of examiners, who, to answer fully and intelligently a call for status, must often examine a case with all the care which would be needed to adjudicate the claim if the necessary evidence had been supplied. The number of Congressional calls alone during the year was upward of 80,000.

THE WORKING FORCE OF THE BUREAU.

In all the divisions the work has been carried on as rapidly as is consistent with proper care and due attention, and the clerical force has been faithful and diligent. By a provision in an act of Congress passed March 2, 1895, this force was reduced 169 (including two chiefs of division). Of this number 49 were provided for by permanent transfer to other Bureaus where their services were needed and where they had previously been detailed; so that the actual depletion of the working force engaged in the Bureau was 120. In making this reduction clerks were dropped whose services, according to continued reports made quarterly by the chiefs of division, appeared to be of the least value, or whose retention from some other sufficient cause seemed undesirable, giving preference for retention to soldiers and to the widows and orphans of soldiers, unless plainly inefficient.

The selection of clerks for dropping because of inefficiency from failing powers or upon a reduction of force is perhaps the most unpleasant duty which falls to the lot of the head of a bureau. While the compensation paid to Department clerks, in view of the class of work and hours of labor, appears to be liberal, causing those places to be eagerly sought for and tenaciously held, yet the cost of living in the Capital City is more than elsewhere in the country, and but few of the clerks have the ability or prudence to accummulate anything for the time when age or infirmity unfits them for the work or when a reduction of the force causes their discharge. Such as have been long in a bureau seem measurably unfitted for other avocations and have little

hope or ambition in respect to other employment. The hardships which befall this helpless class upon discharge are great, and sympathy often keeps them in place at the pay of competent clerks after they have ceased to be able to perform valuable service. They seldom realize that their ability is waning, and feel that they are treated unjustly when discharged. They find it easy to work upon the sympathy of their Members of Congress or other persons of influence, who are too apt to consider it a personal slight if the head of a bureau finds himself unable conscientiously to indorse their recommendations for reinstatement. Especially are such discharges unpleasant when they fall upon persons who not only have been efficient clerks at a past time but were also deserving soldiers or widows of soldiers. But Departments are not eleemosynary institutions. The clerks are expected to and must perform efficiently the duties for which they are employed and paid. They can not be kept in place on other terms.

Would it not be equitable and humane and for the good of the service if Congress should make some moderate provision to aid in the maintenance of deserving clerks, who, after long and efficient service, have become disabled from performing their work?

BOUNTY LAND WARRANTS.

Forty-five original bounty land warrants and 8 duplicate land warrants were issued, and 408 claims for original land warrants and 5 claims for duplicate land warrants were rejected, and 409 claims for bounty land warrants were pending at the close of the year.

EXPENDITURES FOR PENSIONS.

The appropriation for the payment of pensions for the fiscal year ended June 30, 1895, was $150,000,000. There was also paid into the Treasury to the credit of this fund sums aggregating $8,672.58, mainly from recoveries of pension money and attorneys' fees paid to persons afterwards shown to be not entitled thereto. The amount of money paid for pensions during the year was $139,807,337.30, leaving a balance in the Treasury of this appropriation at the close of the year of $10,201,335.28.

All payments of pensions were made by the pension agents with promptness and dispatch and without loss to the Government. The salaries of the pension agents, with their clerk hire, rents, fuel, lights, and contingent expenses, amounted to $573,514.50, leaving in the Treasury a balance of the appropriation for these purposes of $8,095.45.

There was paid during the year from the appropriation for 1894, fees of examining surgeons earned during that year, $229,257.76, and from the appropriation for 1895 fees of examining surgeons for that year to the amount of $578,509.57, leaving a balance in the Treasury of that appropriation, including $22 of returned fees, of $421,512.43, which will be largely reduced by the payment of surgeons' fees not yet adjusted.

APPROPRIATIONS.

The amount paid for pensions in the year ended June 30, 1895, viz, $139,807,337.30, was very close to the amount paid the last previous year, which was $139,804,461.05, the increase in the latter year being $2,876.25. There would have been some decrease from the amount paid the previous year but for two acts of Congress, approved March 2, 1895. One of these acts increased all pensions then below $6 per month to that rate, and, as the rolls then stood, increased the expenditure for pensions about $1,500,000 per year. The other act repealed the enactment of March 3, 1893, which forbade the payment of pensions to persons not residing in the United States (with certain exceptions) after July 1, 1893. This repeal made all such unpaid pensions to nonresidents as had accumulated, remaining unpaid after July 1, 1893, payable at once, and increased by about $275,000 the amount of payments made in the last four months of the last fiscal year.

It will be seen, therefore, that the appropriation of $140,000,000 for the payment of pensions during the present fiscal year may possibly, in view of the changes in the laws just adverted to, require a slight addition to meet the expenditure. My present judgment is that it will be sufficient, unless expenditures for pensions are increased by further changes in the laws, as otherwise, from natural causes, such expenditures must gradually be diminished henceforth from year to year. Certainly this is true in respect to pensions granted on account of wars preceding the civil war.

ESTIMATES FOR 1897.

The estimates for the year ending June 30, 1897, have already been submitted and are as follows:

For pensions	$140,000,000
For surgeons' fees	800,000
For salaries of pension agents	72,000
For clerk hire at pension agencies	450,000
For fuel at pension agencies	750
For light at pension agencies	750
For rents at pension agencies	26,070
For contingent expenses	35,000
Total	141,384,570

These estimates are the same as the appropriations for the present year, except that the amount estimated for rent is increased $3,000. This increase is to provide better rooms for the pension agent at Buffalo, N. Y., whose present quarters are reported to be inadequate and inconvenient.

ACT OF JUNE 27, 1890.

The purpose of this act was beneficent in making frugal provision for soldiers of the Union Army in the civil war becoming, from disabilities of a permanent character, not the result of vicious habits, unable to

earn a support by manual labor, although such disabilities may not have originated in the service.

Order No. 164 caused the granting of many pensions upon claims under this act, but in disregard of its provisions, by rating all disabilities at the same rates which, if of service origin, they would have under the general law, up to the maximum rating of $12 per month, regardless of the effect of the disabilities upon the capacity to perform manual labor. The board of revision, organized in pursuance of your order, upon the decision of the Bennett case and abrogation of Order No. 164, to examine and reconsider pensions allowed under that order contrary to the purport of said act, had so nearly completed its work that the board itself was dissolved at the end of the last fiscal year and the slight remnant of its work transferred to the board of review. The work is substantially completed. During the last fiscal year 104,160 cases were acted on by the board of revision. In 4,149 cases the pensioners were dropped from the rolls as not disabled for the performance of manual labor in any pensionable degree. In 2,279 cases the pensioners were dropped as not entitled under said act of June 27, 1890, and were restored to previous pensions granted them under the general law. In 20,359 cases the rate of pension was reduced, and in 77,373 cases, in which further evidence was filed, the pensions were continued at the former rates.

In all these cases notices were given pursuant to the act of December 21, 1893, and the board acted under instructions to consider all cases with liberality toward the pensioner, and to disturb no pension where the evidence—including such as should be newly furnished, with new medical examination, if asked for or deemed proper—showed the pensioner at the present time entitled to the pension he was receiving, even though improperly allowed when granted. Besides removing from the rolls many who were not under the law entitled to pension, the good effect of this work has been manifest in lessening the filing of claims for pension which are without merit.

THE LAW DIVISION.

The work of this division has been large in amount and important in character. It passes on all questions of law arising in the work of the Bureau, under the personal supervision of the Commissioner. It has the charge and oversight of all transactions with attorneys and claim agents and of all questions touching their conduct or fees, and of all charges of crime, fraud, or dishonest practices in connection with pensions and claims for pension, wherever arising and however brought to the attention of the Bureau. Its relation to the special examination division is necessarily intimate in connection with these matters. It causes prosecutions to be instituted and gives vigilant attention to everything which will aid the Department of Justice in bringing offenders against the penal provisions of the pension laws to conviction and punishment.

The number of persons convicted of crimes in connection with pensions and pension claims during the year was 294. Of these the most important were W. Bowen Moore, of Buffalo, N. Y., and George M. Van Leuven, of Lime Springs, Iowa. Both of these were pension attorneys with very large lists of clients, and each engaged in extensive systems of successful crimes and frauds by which fraudulent claims for pensions were established and fraudulent rates of pensions obtained, and by which not only the Government was defrauded but scandal and suspicion were made to attach to the whole business of obtaining pensions, to the injury of honest practitioners and deserving claimants.

The vigor with which, aided by the Department of Justice, dishonest attorneys and claim agents have been prosecuted within the last two years has done much to deter the unscrupulous of these classes. I respectfully refer to the report of the law clerk, hereto appended.

Mr. F. E. Anderson, chief of the division, has compiled a Digest of Laws, Rulings, Orders, and Decisions Relating to Attorneyship and Fees in Pension Cases, and Mr. W. T. Pierson, assistant chief, has compiled a book of Precedents Applicable to Suits, Civil and Criminal, Growing out of or Incident to the Administration of the Pension and Bounty Land Laws. These books have been published by the Department, and each is a very convenient and valuable handbook upon the subjects treated of.

The importance of the work of this division and the ability and industry shown by the chief and his assistants merit higher compensation. I respectfully renew my former recommendation that their salaries be raised to correspond with those of the principal officers of the medical division.

SPECIAL EXAMINATION DIVISION.

The work of this division in the investigation of frauds and crimes has been barely adverted to in connection with the operations of the law division. This class of work has been considerable during the past year, and it has been most salutary in bringing criminals to punishment and in measurably putting an end to the fraudulent practices so rife in the recent past.

To the special examination division belongs much of the credit of breaking up the systematically fraudulent practices of attorneys who have been named and others of their class, by which the Government has been robbed. The report of the chief of that division, hereto appended, states the large amount estimated as saved to the Government by the detection of frauds and the defeating of fraudulent and baseless claims for pension.

Another important work of this division consists in "credibility inquiries"—to ascertain the fact of the existence of witnesses whose affidavits were filed, their reputations for truth, and what they really know or remember about the matters stated in their affidavits. Such

inquiries were made necessary by the practice of dishonest attorneys, who manufactured affidavits of mythical persons, and inserted into affidavits after execution matters never stated by the affiants, and obtained affidavits from perjurers of matters about which the affiants had no knowledge. Experience demonstrated the necessity for such credibility inquiries, and the fact—now generally known—that they are made has done much to deter the commission of frauds and irregularities which made them necessary.

Much the greater part of this division has been and is engaged upon merit work, the procuring of necessary evidence in claims supposed to be meritorious, when the claimants and their attorneys have been unable to obtain and furnish proofs essential to the allowance of the claims. After the lapse of so many years since the war and the scattering of comrades throughout the country, the special examiners, with the aid of information compiled in the Bureau, are often able to locate and get the evidence of comrades whom the claimants can not reach, and very many claims are thus established, or, if not meritorious, the want of merit shown. As the years pass and the work on original cases gradually narrows to the difficult cases, long sought to be established, the necessity for the aid of special examination becomes greater in proportion to the number of such cases remaining to be acted upon.

It is sometimes said that the Government should not assume such trouble and expense, but should, in analogy to proceedings in courts of law, adjudicate every claim upon the evidence, when the claimant has furnished all he can and that evidence has been properly tested. Such a course would rapidly diminish the apparent amount of work on hand by transferring a great mass of claims from the pending files to the rejected files; but the Bureau proceeds on no such arbitrary or technical rule. The object of the Government is to extend its liberal bounty to all who are in fact within the provisions of the pension laws, and the duty of the Bureau is to ascertain truly, and by all the means which the law affords, the real facts in respect to the validity of every claim, concluding no one by any unbending rule of practice. Therefore a claim which has been once or oftener rejected will always be reopened and reexamined on the presentation of further evidence having a tendency to show that it should be allowed, precisely as pensions once granted will, on proper notice, be reconsidered and modified or annulled whenever it appears that because of fraud, want of title, or palpable error they should never have been granted, or that the title or cause for pension has ceased.

Without the restraint of special examination investigations fraud would flourish and the dishonest practitioner and dishonest claimant would lead by far in the successful establishment of pension claims.

The work of the special examination division will not, it is believed, be required in the investigation of frauds and crimes in the present year nearly as much as in the two years last past, for the reason that

the vigorous and successful prosecution within that time of pension attorneys engaged in such frauds and crimes has discouraged and measurably stopped such practices. But the amount of merit work in that division and constantly coming to it is so great that the force in the field should not be diminished. Attention is also asked to Table No. 17, giving a summary of the work.

THE PENSION BUILDING.

In 1894 Congress appropriated, for the purpose of constructing a new copper roof upon the Pension building, and of placing under the tiling of the roof above the great court of the building a corrugated iron ceiling, the sum of $28,550. The copper roof was put on at a cost of $20,642.83, and the corrugated iron ceiling at a cost of $2,486.22; cost of painting the latter, $906.04; total, $24,035.09, leaving an unexpended balance of $4,514.91.

These improvements seem to be excellent in material and workmanship. The roof appears to be impervious to storms; and the ceiling, besides affording protection to employees from the previous danger of the falling of pieces of tiling, has given a finished appearance to the interior of the building.

Congress at the same time appropriated, to complete the painting of the interior of the large court, which includes the eight columns therein, the sum of $1,500. This work has been done at a cost of $1,529, the small balance of $29 being paid from the fund for repairs of the building. This work was also done in a thorough and satisfactory manner. The entire improvements were made under the supervision of Mr. Edward Clark, who has the charge of all work of this kind in the Department.

There has been expended in repairs upon and about the building as follows:

For repairing driveway at east end of building	$193.60
For granolithic pavement of four rooms in basement	141.20
For repairing granolithic pavement at west entrance	14.85
For new copper gutters over centers of east and west ends	105.00
For five pairs new iron doors in basement openings	140.00
For other small items of repairs	271.83
Total expenditures for repairs	866.48

In the original construction of the building flues for ventilating the basement were made in the walls from the boiler and engine rooms; but in placing the roof originally these flues were closed at the top. In putting on the new roofing these flues have been opened, with much advantage in the ventilation of the basement, and incidentally to that of the whole building, as without such ventilation impure air from the basement would necessarily escape into and permeate the upper parts of the building.

A water filter of sufficient capacity to purify water used for drinking and for the steam boilers is desirable. It is estimated that such a filter can be constructed and placed at a cost of not more than $500, and I respectfully recommend that an appropriation of that amount be asked for that purpose.

The Department has called attention to the considerable amount of gas consumed in the building, the cost of which in 1894 was $2,382.25 and in 1895 $2,958.54. It has not been discovered that there has been any leakage, waste, or needless consumption, yet the cost seems larger than it ought.

The chief clerk and superintendent of the building unite in advising the construction of a complete electric plant, consisting of two 37,500-watt dynamos, two 65-horsepower engines, two 70-horsepower steel boilers, exhaust heater for feed water to boilers, and duplex feed pumps for same; also 1,200 incandescent lamps of 16 candlepower, with shades, and wiring for the whole building; all estimated to cost not to exceed $13,500. It is further estimated that such a plant can be operated for $200 per month—not more than the present cost for gas—and that it will give more and better light, aid the telephone system, operate electric fans, which are much needed in the summer months in the rooms on the upper floor, right under the roof, and supply any other desirable use to which electricity is or may be put. I respectfully present the plan as deserving of careful and favorable consideration.

It has been found necessary to take men from the small force of laborers to aid in running the elevators and for assistance in the fire room, leaving an insufficient number for the care of the building and its surroundings. I respectfully recommend that two more elevator conductors be provided for and furnished, at a salary of $600 each, and two additional firemen, at a salary of $720 each.

While the Pension building is not attractive in its exterior as compared with the other Government buildings in Washington, yet, situated as it is in a park, away from dust, noise, and from other structures, its rooms being all outside rooms, with high ceilings, and well lighted and (because of the great court in the center) very perfectly ventilated, it is perhaps more comfortable than any of the others for the working force employed in it.

PATRIOTISM AND PENSIONS.

Every citizen owes to his country the duty of defending its chosen government, when endangered, against all foes, at the peril and if need be at the sacrifice of his life. Whoever does this freely and promptly, as soon as the occasion arises, does patriotically what his duty requires. Such men deserve their country's gratitude, and a grateful people, admiring their courage and devotion and thankful for the preservation of their country and its chosen institutions, will not allow such soldiers to suffer for the sacrifices they have made without such

reasonable relief as can, under the circumstances, be given. This is the basis for pensions, and the only rational justification for expending the revenues of the Government, which are drawn from and belong to the public, in the way of pensions to soldiers. In this country such pensions are granted liberally, cheerfully, gladly, and with the consent and approbation of everybody, to all of the class of soldiers referred to who have been wounded, or otherwise disabled in the service, or who have from any cause, save their own vice, become disabled from earning a support. Everyone desires that pensions, under our liberal laws, be granted promptly to all such soldiers, their widows and dependents. The men who enlisted early and fought the battles of the war were not moved by mercenary considerations, and unless actually disabled did not show the haste in applying for pensions manifested by those who enlisted near the close of the war for large bounties and did little actual service, and who are now the noisiest in clamoring for more pensions. As compared with this latter class the real soldiers of the war have been modest in preferring claims for pensions.

PENSION ATTORNEYS.

Many of these are gentlemen of ability and character, who render honest, valuable service to their clients, and whose work greatly aids the Bureau in the adjudication of pension claims. But there are very many others in the business who are ignorant and incompetent, and whose continued blunderings and contradictory showings cause delays, increase of work, and, doubtless, sometimes the rejection of cases which would appear meritorious if properly presented. The neighbors see the condition of the claimant and have some knowledge of his deserving, and inveigh against the Bureau for the delay or rejection. The examiner who considers the evidence sees only the confused, irrelevant, and often contradictory mass of papers filed by the claim agent. Many who have failed in all other avocations have taken up this business, and fail here also. Some knowledge of the rules of evidence and some familiarity with the preparation of legal papers is requisite. I think it would be of general advantage to claimants as well as to the administration of the Pension Bureau if none but reputable members of the bar of courts of record were permitted to practice in pension cases.

A large class of dishonest attorneys has given much trouble by systematically criminal and fraudulent practices which have in the past resulted in the procurement of fraudulent pensions and in undeservedly high rates of pension, using perjury, forgery, bribery, and every species of available fraud. Where such practices have been discovered, careful investigations have followed and the criminals have been prosecuted with vigor and success. The conviction and punishment in penitentiaries of some of the most prominent of this class of attorneys have measurably stopped these practices by means of which the Treasury was being largely plundered.

POPULAR FEELING CORRUPTED.

In some of these cases of systematic frauds and criminal practices by attorneys, having each many thousands of pension claims, as in the cases of George M. Van Leuven, of Lime Springs, Iowa, and W. Bowen Moore, of Buffalo., N. Y., the result had been to procure large numbers of fraudulent pensions, and of undeservedly high ratings, for persons in the neighborhoods of these attorneys, bringing every three months large amounts of money from the United States Treasury into these communities, which naturally passed into business channels and constituted an apparently large factor in the local prosperity. The fear that the conviction of these attorneys and their confederates and investigation of fraudulent pensions would lessen this influx of pension money has been manifested in popular rancor against the special examiners whose investigations secured the convictions of the criminals and endangered the "vested rights" of the fraudulent pensioners.

In Howard County, Iowa, Mr. E. F. Waite, the special examiner whose successful investigation brought Van Leuven and Dr. Kessel to conviction and to confession of their crimes and to punishment, was prosecuted and by a Howard County jury convicted, on testimony wholly unworthy of credit, of the false charge of having threatened a witness; while Dr. Kessel, who had just pleaded guilty to an indictment for receiving bribes in pension cases and been punished by a large fine, was indorsed by the same community by a substantially unanimous election as mayor of the city or borough where he resided.

Mr. Ayres, the special examiner at Buffalo, N. Y., whose investigations brought W. Bowen Moore to conviction and to the penitentiary, was, upon a false charge of malicious prosecution of one of Moore's employees, found guilty by the jury and damages assessed against him at $5,000, although it appeared that the plaintiff had been prosecuted upon the advice of the United States attorney after a full and fair statement of the facts to him by Ayres, which prosecution had been abandoned, not because the plaintiff was not guilty, for the guilt was fully shown, but through some misguided sympathy. The verdict against Ayres was promptly set aside by the court.

Dishonest attorneys who find themselves being investigated by special examiners of the Pension Bureau usually strive to protect themselves by making charges against the special examiners and asking to have them removed or otherwise discredited, enlisting the influence of prominent citizens so far as they can impose upon persons of that class, and when they fail in that attempt they have not infrequently sought to annoy and drive away such special examiners by having some person bring suits or prosecutions against them in the local courts. All charges of a specific nature against special examiners have been carefully investigated, and if, as has generally been the case, they have been found baseless, the examiners have been sustained and protected

so far as the power of the Bureau extends. It is gratifying to believe that criminal practices by attorneys have been measurably broken up as the result of the vigorous prosecution of this class of offenders.

CASE OF CHARLES D. LONG.

This case was specially mentioned in my last report and a brief synopsis of its history given. The case has attracted considerable attention from the fact that the pensioner is one of the judges of the supreme court of Michigan, and because of his contention that a Commissioner of Pensions has no power or authority to reduce the rate of a pension when once granted unless the pensioner shall consent to the reduction or to the reconsideration of the claim upon which the pension was granted.

I appended to my last report the opinion of Judge Cox, of the supreme court of the District of Columbia, fully sustaining the power claimed by the Commissioner in such cases.

The pension of Judge Long having been, upon due notice, subsequently reduced to $50 per month, he, on August 4, 1894, filed his petition in said District supreme court asking a writ of mandamus against the Honorable Secretary of the Interior and the Commissioner of Pensions, requiring the vacation of the order of reduction and the issuing to him of a new certificate restoring his pension to its former rate of $72 per month. Hearing was had before Judge Bradley October 24, 1894, who, on January 29, 1895, filed his decision dismissing the case as to the Secretary, but granting the writ as to the Commissioner of Pensions; holding, as I understand his decision, that while Commissioner Tanner had power and authority to review and change the decision of Commissioner Dudley upon the same evidence upon which Commissioner Dudley acted, and no other, and rerate the pension so as to give the pensioner several thousand dollars for time then past, because Mr. Tanner acted upon the request and in the interest of the pensioner, yet that the present Commissioner had no authority without the request of the pensioner to review the ruling and decision of Commissioner Tanner and reach a different conclusion and adjudge a different rating for the future only.

The case was removed by appeal to the court of appeals of said District, where, after argument, the opinion of the court was filed June 6, 1895, reversing the decision of Judge Bradley and fully sustaining the contention that the Commissioner has full power and authority to act in such cases. Hon. Edward B. Whitney, Assistant Attorney-General, has from the beginning represented the Government in this case. The matter is so important that I have appended the opinion of Mr. Justice Shepard, of the court of appeals, to this report.

Very respectfully,

WM. LOCHREN,
Commissioner.

The SECRETARY OF THE INTERIOR.

COURT OF APPEALS OF THE DISTRICT OF COLUMBIA.

WILLIAM LOCHREN, COMMISSIONER, ETC., APPELLANT, *v.* THE UNITED STATES, EX REL. CHARLES D. LONG.

1. Mandamus will not lie to control the exercise of discretion by an executive officer of the Government in the performance of the duties intrusted to him.
2. The Commissioner of Pensions has power to review and modify the decision of a former Commissioner whereby the rating of a pensioner was increased, and to reduce the amount of such rating on the ground that the proof of disabilities submitted did not entitle the party to the rate to which his pension had been increased.
3. The exercise of this power by the Commissioner is a matter of judgment and discretion in the discharge of his official duties, over which the courts have no control.

[No. 434. Filed June 6, 1895.]

Appeal from judgment of special term of supreme court of District of Columbia, at law, No. 36686, by Bradley, J., directing a writ of mandamus to issue to compel the appellant, as Commissioner of Pensions, to vacate an order reducing appellee's pension.

Reversed and petition dismissed.

Mr. Asst. Atty. Gen. E. B. Whitney for appellant.

Messrs. F. A. Baker and Thos. S. Hopkins for appellee.

Mr. JUSTICE SHEPARD delivered the opinion of the court.

This is an appeal from a judgment directing a writ of mandamus to issue to the respondent, William Lochren, Commissioner of Pensions, commanding him to vacate and reverse an order made by him reducing the pension of the relator, Charles D. Long, from $72 per month to $50 per month.

The petition was ordered dismissed as to Hoke Smith, Secretary of the Interior. The facts set forth in the petition and return, together with the statutes referred to, may be substantially stated as follows:

Charles D. Long, a private soldier, was severely wounded in the battle of Wilmington Island, Georgia, April 16, 1862. A shot in the left arm necessitated its amputation above the elbow. Another was received about the point of the left hip, the ball passing through the bone and lodging, it is supposed, somewhere in the right groin. The wound has never healed, constantly discharges pus, and requires to be dressed at least twice in every twenty-four hours. Having but one arm he can not dress the wound properly and that service has to be performed by others. His general health has not been affected, and he walks about with the use of a cane. Having been honorably discharged from the army relator returned to his home in Michigan, studied law, and was admitted to the bar. About January 1, 1888, he became a judge of the supreme court of Michigan, a position which he still holds in the active discharge of his duties.

Relator's first application for a pension was made July 16, 1862, under the act of that year, and described his wounds in the arm and abdomen fairly. This was granted, and on February 28, 1863, he entered upon the receipt of $8 per month, which was the amount allowed a private soldier for an unspecified "total disability," ordinarily called a "total."

The act of June 6, 1866, established the following rates of pensions:

1. For those who had lost both eyes or both hands, and those otherwise so permanently and totally disabled as to render them utterly helpless, or so nearly so as to require the constant personal aid and attendance of another person, $25 per month.
2. For those who had lost both feet, or one hand and one foot, or were otherwise so disabled as to be incapacitated from performing manual labor, but not so much as to require constant personal aid and attendance, $20 per month.
3. For those who had suffered the loss of one hand or one foot, or had been permanently disabled in the same, $15 per month.

On July 31, 1866, relator made an application for an increase to $15 per month under the foregoing statute, and again described the amputation of his arm, as well as the wound in the left hip, which he said "has never healed, and causes deponent

great discomfort." The increase for the loss of the hand was duly made. The act of June 8, 1872, made some changes in the specification of disabilities in the foregoing act and increased the rates therein to $31.25, $24, and $18 per month, respectively, and relator, on August 10, 1872, applied for and received the increase to $18 per month for the loss of his hand.

The next act of Congress, in order, is that of March 3, 1873, found in sections 4697 and 4698, R. S. The first section of this act provides for certain classes of pensions, certain rates to commence July 4, 1864, and run to June 3, 1872. The second makes an increased rate from and after June 4, 1872, for certain classes. Among these those "who shall have lost the sight of both eyes, or shall have lost the sight of one eye, the sight of the other having been previously lost, or shall have lost both hands, or shall have lost both feet, or been permanently and totally disabled in the same, *or otherwise so permanently and totally disabled*, as to render them *totally helpless*, or so nearly so as to require the regular personal aid and attendance of another person, shall be entitled to a pension of $31.25 per month; and all persons who, under like circumstances, shall have lost one hand, or one foot, or been totally and permanently disabled in the same, or otherwise so disabled as to be incapacitated for performing any manual labor, but not so much as to require regular personal aid and attendance, shall be entitled to a pension of $24 per month." Another class, "otherwise so disabled as to render their incapacity to perform manual labor equivalent to the loss of a hand or foot," were to have $18 per month.

Another part of the same act (Sec. 4698½) provides: "Except in cases of permanent specific disabilities, no increase of pension shall be allowed to commence prior to the date of the examining surgeon's certificate establishing the same, made under the pending claim for increase, and in this, as well as all other cases, the certificate of an examining surgeon, or of a board of examining surgeons, shall be subject to the approval of the Commissioner of Pensions."

An act of June 18, 1874, to take effect from the 4th of same, provided that all who were then entitled to pensions under existing laws, and who shall have lost either an arm at or above the elbow, or a leg at or above the knee, shall be rated in the second class and receive $24 per month.

Another act of June 18, 1874, dating also from the 4th, reads as follows:

AN ACT To increase the pension of soldiers and sailors who have been totally disabled.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section four of the act entitled "An act to revise, consolidate, and amend the laws relating to pensions," and approved March third, eighteen hundred and seventy-three, be so amended that all persons who, while in the military or naval service of the United States and in the line of duty, shall have been so permanently and totally disabled as to require the regular personal aid and attendance of another person, by the loss of the sight of both eyes or by the loss of the sight of one eye, the sight of the other having been previously lost, or by the loss of both hands, or by the loss of both feet, or by any other injury resulting in total and permanent helplessness, shall be entitled to a pension of fifty dollars per month, and this shall be in lieu of a pension of thirty-one dollars and twenty-five cents per month granted to such person by said section: *Provided*, That the increase of pension shall not be granted by reason of any of the injuries herein specified, unless the same shall have resulted in permanent, total helplessness, requiring the regular personal aid and attendance of another person.

Relator made no application for increase under the act of March 3, 1873, or under the second of the acts of June 18, 1874, above recited, but did apply for and receive an increase to $24 per month for the loss of an arm above the elbow, as provided in the first of said acts of June 18, 1874.

By act of June 17, 1878, the pensions of all who had lost either both hands or both feet, or the sight of both eyes, were increased to $72 per month, and on June 16, 1880, it was further enacted that all who are "now receiving a pension of $50 per month" shall be increased to $72.

On August 15, 1881, relator made an application for increase, without specifying the particular statute under which he claimed the same, in which he referred to his certificate at the $24 rate, and based his claim for the increase on the wound in his hip, of which he said: "Said wound has never healed and requires bandaging and dressing every day and has every day since it was received, discharging frequently to such an extent as to stain through dressing and bandage and clothing, and causing shrinking of the hip and at times much lameness and soreness of the left hip." This application was denied by Commissioner Dudley October 18, 1881.

The act of March 3, 1883, gave to all who "shall have lost an arm at or above the elbow, or a leg at or above the knee, or shall have been otherwise so disabled as to be incapacitated for performing any manual labor, but not so much as to require regular personal aid and attendance," a pension of $30 per month. On March 21, 1883, relator made application thereunder and received the increase to $30.

March 13, 1884, relator wrote a letter to a member of the Examining Board of the Pension Office in which he said he was entitled to an additional $20, or possibly $42 per month, on account of the hip wound, the necessity for assistance in dressing it being fully stated. This was followed by affidavits of members of his family and others showing that the wound had never ceased to run, and that it needed dressing and bandaging twice within every twenty-four hours, and that by reason of the loss of his arm relator could not attend to it himself. This dressing was done by others for him. Upon this application and accompanying proof, a certificate was issued for an increased pension of $50 per month, commencing from March 21, 1884. This date of commencement was given because the Commissioner did not consider this a case of "permanent specific disability," under section 4698½, *supra*, and hence it could not date prior to the date of the examining surgeons' certificate. Relator, acknowledging the receipt of the certificate for $50 per month, wrote to Commissioner Dudley, August 30, 1884, making a protest, as stated, to save any rights he might have for rehearing, on the ground that he was entitled to draw at that rate from the date of the act of 1874, or at least from the date of his last application, August, 1881, which had been denied by the same Commissioner.

No further action appears to have been taken until May 6, 1889, when Commissioner Tanner rescinded the order of Commissioner Dudley and issued a certificate to relator increasing his pension to $72 per month, and also giving him arrearages at the rate of $50 per month from June 4, 1874, to June 17, 1878, and at the rate of $72 per month from June 17, 1878, to May 6, 1889.

On August 16, 1889, a further allowance was made of $25 per month from June 6, 1866, to June 4, 1872, and from thence to June 4, 1874, of $31.25 per month.

It appears that Commissioner Lochren, the respondent herein, in 1893 undertook to reduce relator's pension, but a mandamus was issued by Mr. Justice Bradley, of the supreme court of the District, who also rendered the judgment appealed from, compelling him to reinstate relator in his former rating. No appeal was taken from this, because, as respondent says, of the provisions of the act of December 21, 1893, respecting notice in such cases. A bill for an injunction filed by relator against further action in his case by Commissioner Lochren was sustained by Mr. Justice Cox of the same court, on the ground of the want of sufficient notice under said statute, but in his opinion the respondent's construction of the law applying to the relator's case was sustained.

This act of December 21, 1893, is to be found in the general appropriation act and reads as follows:

"That any pension heretofore or that may hereafter be granted to any applicant therefor under any law of the United States authorizing the granting and payment of pensions on application made and adjudicated upon shall be deemed and held by all officers of the United States to be a vested right in the grantee to that extent that payment thereof shall not be withheld or suspended until, after due notice to the grantee of not less than thirty days, the Commissioner of Pensions, after hearing all the evidence, shall decide to annul, vacate, modify, or set aside the decision upon which such pension was granted. Such notice to grantee must contain a full and true statement of any charges or allegations upon which such decision granting such pension shall be sought to be in any manner disturbed or modified."

Afterwards, on March 16, 1894, the respondent, as Commissioner of Pensions, sent the following notice to relator:

"You are hereby notified that it appears from the evidence in your case on file in this Bureau that your pension of seventy-two dollars per month, which you are now receiving, is illegal, and that you never were and are not now entitled under the law to that rating, nor to any rating in excess of fifty dollars per month.

"It is hereby alleged that it appears by the evidence filed in your claim for pension and your various claims for increase of pension in this Bureau, that your injuries and disabilities never resulted in permanent and total helplessness, requiring the regular aid and attendance of another person, within the meaning of any of the statutes relating to pensions. It is further hereby alleged that in fact you never have been and are not now in such a state or condition of helplessness.

"It is further hereby alleged that you have been at all times since before your present pension certificate was issued and are now in the daily and active personal performance of your official duties and avocations, and are in no wise hindered therefrom by or because of any of the injuries or disabilities for which you are pensioned.

"You are further notified that you may within thirty days after the day of the service of this notice upon you file in the Bureau of Pensions, at Washington, D. C., such further evidence in support of your right to pension at the rate you are now receiving or having a tendency to controvert any of said allegations as you may desire to present.

"You are further advised that on the Monday next following the expiration of the said period of thirty days after the service of this notice upon you, at eleven o'clock in the forenoon, at the room of the Commissioner of Pensions in the Pension Office building at Washington aforesaid, the Commissioner of Pensions will con-

sider the allegations and all the evidence on file, or which may be presented, relative to such allegations or to your claim or right to pension, and will at the same time hear you personally or by counsel, and consider any argument which you may submit, and will thereupon proceed to determine the truth of such allegations and to take such final action in respect thereto and in respect to the fixing the rate of pension to which you may appear to be entitled, and to modify, change, or affirm your present rating, as may seem conformable to law and the evidence so to be considered."

Relator seems to have taken no notice of this communication, and on May 1, 1894, respondent sent him a certificate showing that he was entitled to a pension at $50 per month, "issued in lieu of certificate dated August 16, 1889, to correct rate," and wrote him that the pension agent at Detroit would forward him properly prepared vouchers, etc., for the new rate. It was to vacate this order that the relator's petition was filed. There is no pretense that the relator has ever made any misrepresentation of the character and condition of his wounds.

Commissioner Tanner, reversing the ruling of Commissioner Dudley, concluded that relator's injuries resulted in "permanent, total helplessness, requiring the regular personal aid and attendance of another person," under the act of June 18, 1874 (see same set out above), and that it was a case of "permanent specific disability," under section 4698½, R. S., which did not require the surgeon's certificate, and hence could date back.

Respondent claims that the fact of relator's ability to discharge the onerous duties of his judicial position was not before Commissioner Tanner, and that he acted solely upon the record before Commissioner Dudley.

Respondent, claiming the right to inquire into the case, and with this additional information, concluded that his case was not that of a "permanent specific disability," and that his injuries had not resulted in "total helplessness" in the sense of the act giving the pension of $72 per month therefor, and revoked the allowance of that sum for the future. The new certificate for $50 per month was issued under the act of July 14, 1892, which gave the sum to those shown to be "totally incapacitated for performing manual labor," etc., "and who are thereby disabled to such a degree as to require frequent and periodical, though not regular and constant, personal aid and attendance of another person."

The Secretary of the Interior, against whom the petition has been dismissed, made answer, that no appeal had ever been taken to him in the relator's case, and that he had no knowledge of the matter until after the first proceeding by mandamus; and that supposing no appeal would ever be taken he has since formed and expressed opinions with respect to the merits of relator's case. (What these are is not stated.) He then proceeds to say that this failure to appeal renders the proceeding premature as to him, but that he "presents the fact solely for the purpose of affecting his own connection with the proceeding and not for the purpose of affecting an immediate proceeding against the Commissioner, which, so far as it is affected by the failure of relator to file his appeal to the Secretary, is expressly waived."

1. If there is one question that ought to be regarded as settled, it is that the courts of the United States will not undertake, through the process of mandamus, to control the exercise of discretion by an executive officer of the Government in the performance of the duties entrusted to him.

"To the judiciary department is entrusted generally the interpretation of the laws, the determination of rights, and the application of remedies, and with the strong sense of their duties and obligations in this regard it is sometimes difficult for the courts to properly appreciate the fact that the executive department is charged with perfectly independent duties, not alone by the supreme law, but also by legislation thereunder, which require the ascertainment of facts, involve the interpretation of laws, and in many respects call for the exercise of judgment and discretion by officers who are not required to be lawyers. And this independence is so complete that no matter how gross an error may be committed, or however ill-advised the action of an executive officer may be in the execution of these duties, the courts are nevertheless powerless to interfere where no appeal to them is given. Public and private interests may suffer in instances, and rights may sometimes be denied, but these alone do not authorize the interference of the courts with the duties of executive officers. Greater evils could not exist under our system of government than would follow the usurpation by the judiciary of powers not entrusted to them." (Seymour *v.* South Carolina, 2 App. Cas. D. C., 240, 245.)

In a case involving the construction of one of the pension acts, which is under consideration here, the Supreme Court of the United States said: "The court will not interfere by mandamus with the executive officers of the Government in the exercise of their ordinary official duties, even where these duties require an interpretation of the law, the court having no appellate power for that purpose." (U. S. ex rel. Dunlap *v.* Black, 128 U. S., 40, 48.)

The act of the Commissioner of Pensions in this case, if he had the power to act at all (a point that will be considered later), necessarily involved the exercise of judgment and discretion. It depended upon an interpretation of the pension laws and the application thereof to the facts of relator's case.

It can not be said that this was a matter of ready determination and free of all doubt. The two justices of the supreme court of the District, before whom the question has been raised, have differed with each other in opinions expressed thereon. One, Mr. Justice Cox, agrees with the Commissioner, while the other, Mr. Justice Bradley, has taken the opposite view. We have not considered the question as one for our determination and shall express no opinion on it. Nor are we to be understood, from the conclusion arrived at in this case, as intimating any opinion with respect to relator's claim to the rating from which he has been reduced by the action complained of in his petition. As was said in the case of Dunlap *v.* Black, *supra*, "Whether if the law were properly before us for consideration we should be of the same opinion, or of a different opinion, is of no consequence in the decision of this case. We have no appellate power over the Commissioner and no right to review his decision. That decision and his action taken thereon were made and done in the exercise of his official functions. They were by no means merely ministerial acts."

Whether the power shall be exercised by the courts of this District, or by a special tribunal created for the purpose, to review the action of the Commissioner of Pensions in awarding or denying, in increasing or decreasing pensions, is a matter within the exclusive jurisdiction of Congress. Though necessarily aware of the long-established rule of noninterference by the courts in such matters, Congress has not seen fit to adopt a new rule in the premises, or to give a remedy in the courts to an aggrieved party. On the contrary, a qualified jurisdiction which seems to have once existed in the Court of Claims over pension claims was expressly taken away by a provision in the act of March 3, 1887, ch. 359, sec. 1.

2. Before proceeding further, we deem it proper to advert to a question of procedure apparent on the record, lest we might be understood as giving our unqualified sanction to the course that has been pursued. Relator did not seek to exercise his undoubted right of appeal to the Secretary of the Interior from the ruling of the Commissioner. This he should have done. Even where the right to the writ is otherwise clear, still it will not issue where there is another plain, legal remedy. The reasons for not having exercised this right of appeal are insufficient. But the Secretary in his answer expressly waives this condition and defends on other grounds. If the exercise of the right of appeal to him was necessary to the jurisdiction of the court, it is clear that his waiver could not cure the defect. If not jurisdictional in that sense, but rather a question of privilege on his part, then he could waive it.

The decision of this question is not necessary in our view of the whole case, and as it has not been argued we will pass it by, remarking only that it is one of doubt and that we are not to be understood as acquiescing in the Secretary's right to waive the point and compel action by the court in consequence.

3. It is earnestly contended, on behalf of the relator, that his pension rate having been adjudicated by Commissioner Tanner, became a fixed and vested legal right beyond the power of a succeeding Commissioner to disturb except for actual misrepresentation and fraud. If this contention be well founded the judgment must stand. (U. S. *v.* Schurz, 102 U. S., 378; Noble *v.* Union River Logging Co., 147 U. S., 165.)

On the other hand, the respondent contends that it is both the right and the duty of the Commissioner of Pensions to correct the rating of the pensioner whenever informed and satisfied of its illegality, without regard to its original procurement by actual fraud. He further claims an estoppel, on the part of relator, to deny this authority because the rating which he seeks to maintain depends upon a ruling of Commissioner Tanner, setting aside, for error of law, the previous ruling in his case made by Commissioner Dudley. To this it is replied that a new ruling may be made at any time in favor of a pensioner, but never against him, and for that purpose his case may always be considered as open. We find no reasonable support for this one-sided view. Surely if the right exists to set aside a former decision, made upon the same facts, because it was founded in mistake of law and thereby deprived the applicant of a just claim under a correct interpretation of the statute, the same right ought to exist, in favor of the Government, to reduce a payment, the full amount of which is without legal foundation. In this view then, if a decision of the Commissioner were to be regarded as *res judicata*, that made by Commissioner Tanner, raising relator's rate, was without authority and void, and the present Commissioner would be justified, for that reason alone, in returning him to the rate fixed by the decision of Commissioner Dudley.

To what extent the decision of one Secretary or head of Department shall be considered as binding upon his successors has never been regulated by statute nor fully settled by judicial decision.

In matters relating to grants of land it is settled that where the decision has been made and all the requisites of the law complied with, the title becomes vested, in so far as the executive power is concerned, and can not be recalled. It can only be avoided thereafter by proceeding in a court for fraud or illegality. (U. S. *v.* Schurz, 102 U. S., 378, 402; Noble *v.* Union River Logging Co., 147 U. S., 165, 175.)

So, where the right of a third person has attached under a decision made, a settlement had, or an account stated, it can not be divested or impaired by the subsequent action of a successor in office. (U. S. *v.* Bank of Metropolis, 15 Pet., 377.) Notwithstanding some remarks made in the opinion in that case, considered apart from its facts, would sustain the view that the action of Postmaster-General Barry, in making certain allowances to a contractor, could not be reviewed by his successor, it is nevertheless reasonably plain that they had relation to the fact that the allowances had been made and the right of the bank had accrued, through indorsement to it in due course of business, of a draft accepted by the Postmaster-General upon the foundation of that settlement. Concluding its remarks, the court said: "It is no longer a case between the correctness of one officer's judgment and that of his successor. A third party is interested, and he can not be deprived of a payment on a credit so given, but by the intervention of a court to pass upon his right."

In another case, where a sum of money had been paid to a naval officer by the Secretary of the Navy to cover certain expenses allowed by him, the power of the accounting officers of the Treasury, to overrule the Secretary, declare his payment without authority, and deduct the sum so paid from the pay due the officer, was denied. (U. S. *v.* Jones, 18 How., 92, 95.) That case is readily distinguishable from this. In United States *v.* Johnston (124 U. S., 236, 253, 255), which was a suit to recover certain moneys paid upon the allowance by the Secretary of the Treasury of an agent's expense account, after the lapse of many years from the date of settlement, the court held that the account could not be attacked for irregularity or mistakes because of insufficient evidence, especially after such great lapse of time. It was said, however, that the approval of the account of the Secretary "would not be conclusive, if it appeared either that such approval was procured by fraud, or that such expenses were incurred in violation of some positive statute, or in contravention of public policy."

Subject to the foregoing limitations, it can be said that no case has denied the doctrine announced in United States *v.* McDaniel, 7 Pet., 1, as follows: "It will not be contended that one Secretary has not the same power as another to give a construction to an act which relates to the business of his office."

In this case the ruling does not affect, or attempt to affect, the right of relator to retain the large sums of money which he has received under the decision of Commissioner Tanner. That might present a very different question. The right of no third person has intervened, nor could it, because the pension is not transferable and not subject to claims of creditors. The pension certificate itself is the creature of departmental practice and has no function analogous to a patent or a grant. The claim to the pension is not a vested legal right. It is a bounty that may be given or recalled, increased or diminished, at the pleasure of Congress. (Walton *v.* Cotton, 19 How., 355; U. S. *v.* Teller, 107 U. S., 64, 68; Frisbie *v.* U. S., 157 U. S., 160, 166.)

The practice of reconsideration for error or illegality seems to have prevailed in the Pension Office from a very early period. A proceeding in the case of Captain Somerville, as early as 1803, and certain decisions made under later pension laws, cited in the brief of respondent, sustained this view. (Dig., pp. 398, 399, 435.) Scofield, J., in Harrison *v.* United States (20 Ct. Claims Rep., 122, 126), states the rule and the reasons for its existence very strongly, as follows: "The power of revision may well be considered to be inherent in the nature of the first decision as well as in the necessities of the Bureau. The pension is a gratuity. It involves no claim of right, no agreements of parties, and, as it is not assignable, no acquired rights of third parties. The law describes a class of persons upon whom it chooses to bestow its bounty. The Secretary and Commissioner are directed to find out and make a list of persons thus described. The proceedings and evidence are largely *ex parte.* From the vast number of applicants, the work must be performed and the roll made up, for the most part, by the clerks. If placing the name of an applicant on the roll is to be considered a judicial act, should it not be considered only a judgment *nisi?*"

The court will take notice of a long-continued usage or practice in the Executive Departments. (U. S. *v.* Bailey, 9 Pet., 238, 255.) And such practice, and the interpretation given to statutes and the powers exercised thereunder, are entitled to very great weight. (The *Laura*, 114 U. S., 411, 416; U. S. *v.* Hill, 120 U. S., 169, 182.)

Certain provisions of the pension acts, antedating the first action in relator's case, seem to recognize the existence of the practice, and this recognition is especially plain in the act of June 21, 1879, which repeals certain sections of the Revised Statutes, and concludes with this proviso: "*Provided*, That the Commissioner of Pensions shall have the same power as heretofore to order special examinations whenever in his judgment the same may be necessary, *and to increase or reduce the pension according to right and justice.*"

There are, as we have seen, very strong reasons for holding that where a title has passed, or the rights of innocent third persons have supervened, or there has been a very great lapse of time without question, the decisions of the head of an Executive Department should be considered as beyond the power of his successors to disturb.

The reasons are quite strong also why, as to transactions wholly ended, where credit has been given or money paid over, there should be no recognized right of review save for fraud or manifest illegality. But where the matter is one that involves future, recurring payments of money there seems no good reason why succeeding incumbents of the office, charged with a present responsibility, should be concluded by the decisions of their predecessors. They should not lightly overrule their predecessors; but when satisfied and convinced that error has been committed and that there is no legal warrant for the payment demanded, it would seem to be their duty, as well as their right, to rectify the error. The recognition of the power in such cases involves no destruction of vested rights, no impairment of the obligations of contracts, and no abridgment of the equities of third persons. It is a question simply of the proper performance of a present duty, the conscientious discharge of a present obligation. This seems to be the rule that has prevailed in the Treasury Department in analogous cases. It is entirely within the regulating power of Congress if found unsatisfactory.

We have heretofore referred to certain provisions of the statutes as recognizing the existence of the power exercised by the respondent in this case. But since this controversy arose, though prior to the particular act complained of in this case, a statute has been enacted which distinctly legalizes the practice pursued by respondent. Presumably to meet complaints prevalent concerning the action of the Pension Office in suspending and reducing pensions the following provision was inserted in the appropriation act of December 21, 1893: "*Provided*, That any pension heretofore or that may hereafter be granted to any applicant therefor under any law of the United States authorizing the granting and payment of pensions, on application made and adjudicated upon, shall be deemed and held by all officers of the United States to be a vested right in the grantee to that extent that payment thereof shall not be withheld or suspended until, after due notice to the grantee of not less than thirty days, the Commissioner of Pensions, after hearing all the evidence, shall decide to annul, vacate, modify, and set aside the decision upon which such pension was granted. Such notice to grantee must contain a full and true statement of any charges or allegations upon which such decision granting such pension shall be sought to be in any manner disturbed or modified."

In this statute, for the first time, the pension is recognized as a vested right, and then to an extent only that prevents its summary suspension or abrogation; at the same time the right "to annul, vacate, modify, and set aside the decision" upon which a pension has been granted is distinctly and fully recognized.

Holding, as we must do, that the respondent, as Commissioner of Pensions, had the power to review and modify the decision of the former Commissioner in relator's case and reduce his rating, and that the exercise of this power was a matter of judgment and discretion in the discharge of his official duties, over which the courts have no control, it follows that the judgment appealed from must be reversed with costs to the appellee, and relator's petition dismissed. *And it is so ordered.*

REPORT OF LAW DIVISION.

DEPARTMENT OF THE INTERIOR, BUREAU OF PENSIONS,
Washington, D. C., August 9, 1895.

SIR: I have the honor to submit herein the report of the law division for the fiscal year ended June 30, 1895.

The labors of the appeal section have been lightened by Assistant Secretary John M. Reynolds, who directed, August 15, 1894, that until further notice all papers in cases on the merits should be forwarded without report. This conclusion was reached after a conference in which I had the pleasure of serving as your representative, and the principal reason for the change is found in the fact that, the board of pension appeals having always determined each question upon the original record, report is unnecessary. The responsibility is now no longer divided between that board and this division, and I have assigned most of the force of the appeal section to other sections of the division.

From the number of desks through which public business passes, and since a portion of it is in transitu, it is impossible to arrive at absolutely correct results. Moreover, figures showing the work accomplished must be taken from data kept by numerous persons for a period of twelve months, and therefore liable to a percentage of inaccuracy tending to increase with each additional day and every additional person.

For example, a case may be noted in the wrong column, or a clerk may, in the hurry and press of current business, omit to credit himself with all that he has done. Yet it is believed that the following figures approximate the truth:

Merit appeals pending July 1, 1894	154	
Received during fiscal year ended June 30, 1895	4,282	
		4,436
Cases to Secretary of Interior during said year	4,396	
Appeals on hand July 1, 1895	40	
		4,436
Motions for reconsideration received during the fiscal year ended June 30, 1895		198
Cases to Secretary of Interior during said year	193	
Motions for reconsideration on hand July 1, 1895	5	
		198

According to the figures prepared by the board of pension appeals there were in the hands of the Secretary of the Interior July 1, 1894, cases to the number of	1,572
By our figures there were transmitted to him during the fiscal year ended June 30, 1895	4,396
Making a total subject to his action of	5,968
According to the figures of the board aforesaid there remain now on hand	243
Deducting these from the total, 5,968, we have as the number of cases acted upon by the Secretary during the fiscal year ended June 30, 1895	5,725

The action of the Pension Office was affirmed in cases numbering	4,481	
It was reversed in cases numbering	1,208	
It was modified in cases numbering	36	
		5,725

The large increase in the number of reversals is not disquieting. Several hundred cases were pending, awaiting the Secretary's decision on one point of law, which, when settled by him in the case of the minors of Thomas W. Baugher (7 Pens. Dec., 433), disposed of them all.

To secure as far as possible a needful uniformity in the proceedings of the Bureau, I have scrutinized the cases as they have returned, and have brought to your attention such as have determined new or disputed points. By your direction, short notes of 191 decisions on the merits have been promulgated, involving the preparation and distribution of 17,875 mimeographic pages.

In the criminal section the total is not so large as that of last year.

Cases on hand July 1, 1894		559
Cases received		16,197
		16,756
Cases referred for special examination	3,978	
Cases submitted for criminal prosecution	507	
Cases sent to other divisions	12,126	
Cases on hand July 1, 1895	145	
Total		16,756

The sum of $14,006.23 has been refunded to the United States, of which the amount of $3,347.54 was recovered by seven civil suits brought through the initiative of this section. Ten thousand six hundred and fifty-nine letters were written. During the fiscal year there have been—

Recommendations for prosecutions	473
Arrests of persons accused	272
Indictments found	598
Convictions had	294
Sentences imposed	214
Acquittals	97
Cases dismissed on nol. pros	53

The diminution of this section is due to various causes. Orders Nos. 260 and 264 have contributed to this end, and the deterrent effects of the rigorous and impartial prosecutions of the past two years are likewise shown by the shrinkage. But there are features in the figures which are sinister. In eighty cases in which convictions have been had sentence has not been imposed, while the nol. pros. cases show a disquieting increase, to say nothing of the enlarged percentage of acquittals. As the

work of the law division in the preparation of letters recommending the institution of criminal proceedings has merited and received the highest commendation, it is apparent that the fault is elsewhere.

On May 28, 1895, in the district court of the United States for the eastern district of Louisiana, Benjamin Franklin was, under section 5392 of the Revised Statutes of the United States, convicted of perjury in the case of Louisa Peter, widow of Ashan Peter, 92 U. S. C. V. I., Cert. 352866. On the next day the judge sentenced Franklin to three months' imprisonment in the parish jail of Plaquemines Parish, La. An examination of the statute will show that the penalty prescribed is "a fine of not more than $2,000, and by imprisonment at hard labor not more than five years."

At the November term of 1894, in the district court of the United States for the district of Maryland, Charles E. Garitee was indicted under section 4 of the act of June 27, 1890, for demanding and receiving $12 from Hannah M. McCreary, widow of James A. McCreary, 12 N. Y. V. I., Cert. 386733. This was a peculiarly flagrant case, for Garitee had sued Mrs. McCreary and had recovered judgment, although he had been a special examiner, and hence was more than ordinarily acquainted with the illegality of his course. During the trial it was discovered that one of the jurors had served in that capacity in a previous case against the defendant. Upon Garitee's motion the juror was withdrawn, and, on a stipulation, the trial proceeded before the remaining eleven jurors, who found a verdict of guilty. Thereupon Garitee moved in arrest of judgment, on the ground that eleven jurors were powerless to convict. In the meanwhile he had been indicted in the same court for perjury on his trial for demanding and receiving the $12, and on such trial for perjury he had been convicted and sentenced to pay a fine of $100 and to serve six months at hard labor in the Baltimore city jail. Garitee was accordingly committed, April 25, 1895. The judge who sat during the trial having gone to Europe, another judge went to Baltimore to hold the June term of court. The latter judge issued a general order to the warden of the jail, directing him to let Garitee visit his mother in company with the warden or one of his deputies, "said visits not to exceed two hours."

On June 27, 1895, which was after the expiration of the term of court at which he had been convicted and sentenced, Garitee prayed a writ of habeas corpus, on the grounds that the indictment on which he had been tried was bad and that the court had erred in giving certain instructions and in refusing others. The judge issued the writ, making it returnable July 2, 1895. At this date a motion for a new trial and a motion in arrest of judgment were filed, together with a prayer for a writ of error and for bail pending an appeal. The writ of habeas corpus was dismissed by the judge, who declined to hear argument on behalf of the United States, or to look at the authorities which the assistant district attorney had in readiness. His attention was called to the fact that the motion for a new trial was in violation of the rules of practice; but he replied that the subject was within the discretion of the court. He was then asked to set a day to hear argument on the motion, but refused. On the contrary, he forthwith ordered the warden to release Garitee, granting the motion for a new trial, set aside the verdict, struck out the sentence, admitted Garitee to bail, continued the case to the next term, and directed that all the other motions be considered as pending.

It may not be improper to add that Garitee had had his commission as special examiner revoked for acts unbecoming the service of the United States. In addition, he had been disbarred from practice before the Department of the Interior, March 7, 1891, for receiving an illegal fee of $150 in the case of Sarah A. Robinson, widow of John M. Robinson, 13 Md. Vol. Inf., Cert. 279390. Notwithstanding his disbarment, he had continued to practice, having as stool pigeons, in whose names all business with the Department was transacted, William D. Kennard, Charles S. Davis, and George S. Booker, respectively, who were in turn stricken from the roll for their complicity in his efforts to evade the consequences of his disqualification. Since January 26, 1891, no less than sixteen indictments have been found against him in the Federal courts, and in no instance has he been acquitted. In some of those cases, which are no longer pending, he escaped through failure of the jurors to agree. The majority has always been for conviction, but from one to four jurors, as the case might be, have frustrated the efforts of the United States. On other proceedings he was discharged either by direction of court or by nol. pros. And this slight sketch of him may be concluded by stating that he has been by no means a stranger to the Baltimore City tribunals having jurisdiction of criminal offenses.

Bailey L. Harrington had been indicted for a violation of section 4 of the act of July 4, 1884, in the case of Lucy Washington, formerly widow of Henry Rowan, 3 U. S. C. V. C., No. 500165, but when he was arraigned in the United States court for the northern district of Mississippi, May 11, 1895, the judge ordered the case dismissed, saying that he would not try cases in which it is shown that the agent or attorney obtained a dollar or two at a time, in violation of the law. He intimated that the agent was entitled to compensation for his services in procuring the evidence, and that it was not the intention of the law to punish him in such a case.

Thomas J. Scruggs had collected $380 from Nancy, widow of James Smith, 1 Ala. and Tenn. Independent Vidette Cav., Cert. 303187. On investigation he admitted the collection, saying that the sum of $300 had been a loan to him, but that the sum of $80 had been his fee. He was indicted under section 4 of the act of July 4, 1884, and on his trial, during the April term of 1895, in the United States court for the northern district of Alabama, he was found guilty. The judge sentenced him to one day's imprisonment. It will be noted that the law provides that the accused "upon conviction thereof shall, for every such offense, be fined not exceeding $500, or imprisoned at hard labor not exceeding two years, or both, in the discretion of the court." (23 Stat. at Large, 101.)

Wilhelmina Rosker, formerly widow of August Isenhuth, 11 Mo. Vol. Inf., Cert. 370570, drew pension for about three years after she had remarried. Under section 5392 of the Revised Statutes of the United States she was indicted for perjury, and, on her trial, at the April term of 1895, in the United States court for the eastern district of Missouri, she was convicted. The judge fined her $100 and let her go. In such a case the law provides as the penalty to be inflicted a fine of not more than $2,000 and imprisonment at hard labor not more than five years.

Anna Schamp, formerly widow of John Schroeder, 149 Ill. Vol. Inf., Cert. 339821, was indicted under sections 5392 and 5438 of the Revised Statutes of the United States for perjury and for filing a false claim. On her trial at the same term and in the same court she was found guilty, whereupon the judge fined her $1,500 and instructed her to go home. There was not an extenuating circumstance in this case, as the defendant had been guilty of adultery both before and after her remarriage and had received about $3,200 to which she was not entitled. Yet no sentence of imprisonment was imposed, notwithstanding the positive requirement of the statute.

T. H. Allen was indicted under section 4 of the act of July 4, 1884, at the May term of 1895, in the United States court for the southern district of Mississippi, for having demanded and received a fee of $25 from Henry Gilliard, 78 and 83 U. S. Col. Vol. Inf., Cert. 862944. When issue was joined, Mr. R. C. Lee, attorney for the United States, failed to introduce the record of the Department of the Interior showing Gilliard to be a pensioner. Nor was the special examiner called to the stand. In other respects the evidence was strongly in support of the United States; but when the prosecution rested, the defendant's counsel moved to exclude the testimony on the ground that Gilliard had not been shown to have been a pensioner at the time the offense was committed. The special examiner suggested to the district attorney that he be then called to identify the papers, but Mr. Lee refused. Thereupon the jury was instructed to return a verdict of not guilty, the court remarking that the defendant had undoubtedly violated the law, but that the United States had not made out their case.

W. B. Barnett had been indicted under section 5438 of the Revised Statutes of the United States for false certification in the case of Robert Tyler, 87 U. S. C. V. I., Cert. 820102. He was tried in the United States circuit court for the eastern district of Louisiana. The material point was that in executing his declaration Tyler had signed by mark. J. L. Dupart and Joseph Beaulieu purported to have signed as attesting witnesses, and Barnett, as notary public, so certified. It was evident that both signatures were in the handwriting of Dupart, who at the date of the trial was in the penitentiary for violations of the laws relating to pensions. There were four different persons named Joseph Beaulieu. The special examiner had taken the deposition of each that he did not know the soldier and had not signed as attesting witness. On the trial Mr. F. B. Earhart, attorney for the United States, went into court with only three of the Joseph Beaulieus present, saying that the fourth could not be found. He had not asked the special examiner to locate the missing man, nor had he even informed him before the trial that this Beaulieu was missing. Each of the three who were present made oath that the signature was not his. Thereupon the accused swore that the declaration had been written by Dupart, with whose handwriting he was familiar; that his mark was genuine, and that a man calling himself Joseph Beaulieu had signed his name as attesting witness. The attorney for the United States asked the defendant no questions to elicit the fact that both signatures had been written by Dupart, nor did he submit the paper to the jurors. He did not even argue the case. Moreover, the absence of the fourth Joseph Beaulieu left a reasonable doubt. Accordingly, on February 11, 1895, without retiring from the box, the jurors found a verdict of not guilty.

Edward Butler, clerk of Plaquemines Parish, La., was indicted for perjury before a special examiner in the case of Roxcy James, widow of John James, 46 U. S. C. V. I., Orig. No. 492896. The Bureau of Pensions had not only recommended this, but also advised an indictment for false certification on the affidavits of Valcour Bose and Louis Riddick, witnesses in the same case. On January 2, 1895, and several times afterwards the special examiner had seen Mr. Earhart and had urged him to take early action, but when, on April 23, 1895, he expressed himself ready to prepare an indictment, prosecution had been barred by the statute of limitations. He then

manifested some doubt as to the ability of the United States to convict on the charge of perjury, but finally, at the express request of the special examiner, he drew an indictment under section 5392 of the Revised Statutes of the United States. However, after the grand jury had returned a true bill he permitted the counsel for the defendant to read the report of the special examiner and the depositions taken by him, on which the prosecution had been inaugurated. The case then went over to the next term. The results may be disastrous, for the witnesses for the United States are three poor colored plantation hands of good reputation, but with no means of support other than their daily labor, without influential friends, and living in the neighborhood of the accused, who is by virtue of his office a prominent man. Room is thus left for intimidation or bribery.

Since my last report, the United States has published the treatise entitled "Precedents Applicable to Suits, Civil and Criminal, Growing out of or Incident to the Administration of the Pension and Bounty-Land Laws," prepared by Mr. William T. Pierson, one of the assistant chiefs of the law division. An edition of 1,000 has been printed, and steps have been taken to send a copy to every special examiner, each United States district attorney, and all the Federal courts in which questions relating to pensions may be expected to arise.

Under the operation of Order No. 269, which you issued August 3, 1894, the business of the fee section has enormously increased.

Cases on hand in fee section July 1, 1894	386	
Received in same during fiscal year ended June 30, 1895	30,792	
		31,178
Cases disposed of during fiscal year ended June 30, 1895	30,949	
Cases on hand July 1, 1895	229	
		31,178

Eighteen clerks are now employed, instead of eight, and they are all kept busy. The bulk of these are men who, previous to their assignment to the law division, had no experience in this very trying field, which rendered it imperative upon me to draw up a text-book for their use. From this sprang the Digest of Laws, Rulings, Orders, and Decisions Relating to Attorneyship and Fees in Pension Cases, which you and Assistant Secretary Reynolds were pleased to deem worthy of publication by the United States. Since it issued ninety-seven attorneyship decisions have settled doubtful points or changed the former practice. The material part of each of these has been mimeographed as soon as received, necessitating the preparation of 2,160 pages, and every clerk has been promptly furnished with each abstract so prepared. But so varied are the contentions arising that new questions are continually before the section, and its labors require unflagging industry, great natural capacity, and a thorough knowledge of the principles of law, to supplement an exact acquaintance with the rulings and orders of this Bureau and with the numerous decisions of the Department.

A comparison contrasting some of the figures of the fiscal year ended June 30, 1894, with some of those for the period ended June 30, 1895, may prove not uninteresting:

Items.	1893-94.	1894-95.	Increase.
Cases received	11,475	30,792	19,317
Cases disposed of	11,665	30,949	19,284
Letters written	15,236	46,538	31,302

During the fiscal year ended June 30, 1895, the sum of $5,400.30, which had been improperly paid as a result of erroneous action by the Pension Office or of illegal demands made by attorneys upon their clients, was recovered and turned over through the United States Treasury to the persons entitled to receive it. As compared with $6,097.10, the total of the previous fiscal year, a considerable decrease is shown. This would seem to show that Order No. 269 is beginning to produce the results which you intended. Some of the examiners appear to manifest a disposition to disregard the requirements of the order; but notes are being kept, and should the future require it the necessary information will be presented for your consideration.

Appeals relating to attorneyship or fee questions have heretofore been settled in the fee section; but as it is more logical to have all appeal work considered by the appeal section, such section will henceforth have jurisdiction of these cases.

The following figures show fine results for the year:

Appeals on hand July 1, 1894	35	
Appeals received during fiscal year ended June 30, 1895	738	
		773
Reports to Secretary of Interior for fiscal year ended June 30, 1895	574	
Appeals dismissed:		
Attorney's contention granted	167	
Improperly taken	3	
Pending July 1, 1895	29	
		773

The Secretary of the Interior affirmed the action of the Bureau in 548 cases and reversed it in 26 cases. These, together with the appeals dismissed, amount to 744 cases, which, together with the 29 cases now pending, foots up the total of 773 cases above set forth.

The jurisdiction of the miscellaneous section remains much the same as during the last fiscal year. All papers and cases coming to the law division are received in this section, stamped, and distributed. During the fiscal year these footed up a total of 161,969. As an effect of Order No. 270, the examination of declarations, powers of attorney, and articles of agreement, to determine whether they are in proper form and have been duly executed and the correspondence necessary to correct errors, have devolved upon this section. Moreover, since August 27, 1894, circulars submitted by attorneys under Rule 18 of the Rules of Practice before the Commissioner of Pensions are now considered here.

Attorneys:	
Certificates of qualification and oaths received from applicants for admission to practice and forwarded to the Secretary of the Interior for his consideration	183
Enrollment of new attorneys admitted to practice by the Secretary of the Interior	737
Transfers of attorneyship	29
Suspensions of attorneys	21
Disbarments of attorneys	70
Prohibitions of attorneys from practice before this Bureau under section 5498, Revised Statutes of the United States	11
Restoration of attorneys to practice before this Bureau	9
Changes of addresses of attorneys	133
Deaths of attorneys	64
Attorneyship verified in claims, including all classes of cases	181,746
Authenticating officers:	
Certificates as to the official character of magistrates filed for general reference, jacketed, and recorded	16,249
Informal certificates as to the official character of magistrates returned for correction	913
Official character of executing officers verified	75,182
Papers coming under Order No. 270:	
Declarations, articles of agreement, and powers of attorney examined	170,423
Receipts for articles of agreement	15,637
Miscellaneous work:	
Cases examined and referred to other divisions	2,997
Papers forwarded to other divisions	12,965
Letters written	30,556
Reports made to Congress	104
Abstracts of testimony furnished to Auditors	3,117

A comparison of these figures with those in my last annual report will disclose a surprising advance in the business transacted by this section. Thus, there was an increase of 115,003 verifications of attorneyship, of 9,413 certificates of official character, and of 43,430 verifications of official character, to be added to the new work arising out of Order 270, which in itself necessitated the examination of 170,423 papers and the preparation of 15,637 receipts. Notwithstanding, everything has been kept current by this section, reenforced by only eight new clerks. The statement is a sufficient encomium on their fidelity.

Your attention is again respectfully invited to the recommendations contained in my previous reports relating to the inadequacy of the salaries of the division; an appropriation for a library fund; the submission of disputed law points; the appointment of special-service agents; the difference between the action on informal declarations under the act of June 27, 1890, and those under the general laws where a formal application has subsequently been filed; the payment of pensions of improvi-

dent or dissolute pensioners to their wives or to a guardian for their minor children; the amendment of act of July 26, 1892; the consideration of the act of July 4, 1884; the prohibition of advances of moneys by attorneys; the prevention of disbarred attorneys from acting as authenticating officers; the breaking up of the practice of clerks of attorneys in pension claims acting as attesting witnesses; the leaving of pension certificates in the hands of such attorneys; the presumption of death; the acts of certain State soldiers' homes in requiring inmates to surrender their pensions to the homes; the enlargement of section 5421 of the Revised Statutes of the United States; the furnishing of copies by the Federal courts, and the proposed charge for furnishing certified copies of evidence. Further experience has only confirmed my belief in the necessity for the changes heretofore suggested.

Should your views coincide with mine, it might be well for you to suggest to the Secretary of the Interior the advisability of henceforth declining to admit as attorneys in pension claims persons other than members of the bar in good standing before the courts. The illiteracy, dishonesty, and incapacity through which many unfortunate applicants have heretofore suffered would thus be materially reduced, and a higher tone would be given to the practice. And it would be a great relief to the law clerk were the Secretary to promulgate rules of practice relating to suspension or disbarment proceedings. In such cases no transfers made by an attorney under charges should be recognized until and unless he shall have been first found innocent of the offenses charged. How easy it is for a guilty person, by nominally transferring to another, to render unavailing the disciplinary proceedings of the Department, has been shown more than once.

Prior to July 4, 1884, the oaths of attorneys, preliminary to their admission to practice, were filed in this office. After the date of my last report they were hunted up and stored in the files of the Law division. Since July 4, 1884, such oaths are retained in the office of the Secretary of the Interior. It is suggested that they should all be together, either in this division or in the Secretary's files.

In obedience to your request, I prepared instructions for the governance of fourth-class postmasters engaged in authenticating pension vouchers under the act of August 23, 1894, the subject having been brought to your attention by the Secretary of the Interior, to whom it had been referred by the First Assistant Postmaster-General. These instructions have been put into effect by the Post-Office Department. The Hon. J. R. Ash, chief of the division of correspondence in the office of said First Assistant Postmaster-General, having called to my notice the fact that no penalties are provided for the unlawful use of the postmarking stamp of the fourth-class postmaster, or for counterfeiting the same, I submit his statement to you, that you may invoke the action of Congress, should you deem it advisable.

At the suggestion of Mr. J. O'C. Roberts, I have discarded the general docket of the law division, and have substituted in its stead the file-card system proposed by him. The results attained reflect credit upon his administrative ability. During the year this assistant chief was sent by your personal order twice to Newbern, N. C., and once to Baltimore, Md., on business connected with the service, and Mr. Pierson, my other assistant, was sent in like manner to Buffalo, N. Y. Their services so completely attained the objects sought as to justify once more the confidence which you have ever reposed in them. I may add, in closing, that my entire force have done their duty in a manner which would, were that possible, add to my trust in them and my affection for them. I commend them to you as clerks to whom no kindness shown by you will ever prove to have been shown in vain.

Very respectfully,

FRANK E. ANDERSON,
Chief of Law Division.

Hon. WILLIAM LOCHREN,
Commissioner of Pensions.

REPORT OF SPECIAL EXAMINATION DIVISION.

DEPARTMENT OF THE INTERIOR, BUREAU OF PENSIONS,
Washington, D. C., August 29, 1895.

SIR: In compliance with your instructions I have the honor herewith to submit the following report relative to the work accomplished by the special examination division during the fiscal year ended June 30, 1895.

No necessity has been found to modify or alter in any way the general organization of the division. The clerical force has been continued in its several subdivisions the same during the present as the last fiscal year, and no mention, therefore, need be made of this particular branch of the division further than to state, in general terms, that the results accomplished by the organization thereof, adopted at the beginning of this administration, are satisfactory in all respects.

In the last annual report of this division occasion was taken to submit a full history of the special examination service, showing its growth from the old ex parte method to its present system of specially examining claims on merit. It will be necessary, therefore, in this report, to refer only to those matters which have developed during the fiscal year just closed.

Before proceeding, however, to such matters in detail, it is deemed important to call attention to the value of the service, as it relates to the interests of all worthy claimants before the Bureau as well as to the Government itself. Its value in these directions becomes more apparent as time advances, and it is certain that the necessity which gave rise to the organization of the service upon its present basis will continue with increasing ratio until at least the bulk of the claims now pending shall have been disposed of.

In this connection it is proper again to refer to the fact, as in the preceding report, that the special-examination division is simply the medium through which is accomplished certain work of the Bureau that can not otherwise be disposed of. In other words, the division in no sense has original jurisdiction over cases submitted for special examination, and only such cases under the practice of the Bureau are referred to this division as are impossible of settlement in the several adjudicating divisions. A correct understanding of this will at once demonstrate the necessity for the proper maintenance of this division upon such grounds as will enable it to dispose of the cases referred for special examination without unnecessary delay.

For the fiscal year just closed there was appropriated by Congress for the special examination service the sum of $250,000. At that time there were 20,663 cases awaiting examination. By reason of this limited appropriation it became necessary to largely curtail the number of special examiners engaged in field duty, and this reduction of force continued until it became manifest that with the work already before the division, augmented by the continual influx of the same, the service would soon be overwhelmed to such a degree as to result in vexatious delay to claimants awaiting the final disposition of their claims. Upon the proper presentation of this state of facts, a deficiency appropriation of $250,000 was granted, whereupon steps were immediately taken to rehabilitate the service, until now it is upon a satisfactory footing. During the fiscal year ended June 30, 1895, there were 20,038 cases finally disposed of by this division, a number almost equal to the whole number pending at the beginning of said fiscal year. While this result is highly satisfactory, it is confidently expected that during the present fiscal year the same will be improved upon. This for the reason that of the number of special examiners engaged in field duty a considerable proportion were necessarily new to the duties of their position, and hence not so well equipped for the discharge thereof as those of more extended experience. Great care has been observed to note with strict impartiality the individual work of each special examiner, and no consideration has been allowed to prevail with reference to their retention in field work except that of merit. The service is now believed to be in all respects as well equipped as at any time in its history, and a continuation of the present force, in the main, both as to number and personnel, will naturally lead to increasing satisfactory results.

In addition to the work of the special examiners in cases regularly referred to this division, a vast amount of work is accomplished on what is technically known as "credibility inquiries." These inquiries are sent to this division from the several adjudicating divisions in order to ascertain through the special examiners the reputation of ex parte witnesses for truth and their means of knowledge as to the subject-matter of their respective affidavits, thus enabling said adjudicating divisions to properly estimate the value of their testimony. This work is deemed of great importance, and is steadily increasing. For the fiscal year ended June 30, 1895, there were received in this division 37,642 of such inquiries, and 31,198 were disposed of.

In addition to the foregoing, much work of a miscellaneous character is performed by the special examiners, and while it is impracticable to refer to all such items in detail there are some particular features thereof that deserve special mention. Numerous instances are brought to the attention of the Bureau where guardians, conservators, and others sustaining fiduciary relations toward pensioners are guilty of a violation of their trust. In such cases, where the facts apparently warrant the action, an investigation is made to determine the points in controversy. Where it is found, as is not infrequently the case, that the pensioner is deprived through the misconduct of his guardian of the benefits which should accrue to him under his pension certificate, steps are immediately taken before the proper courts to have such guardian removed and a proper person appointed in his stead.

It is a well-known fact that many unscrupulous attorneys practicing before the Bureau have adopted methods in the prosecution of their business which are not only a flagrant violation of the pension laws, but which, in numerous instances, result in working injury to worthy claimants. During the past fiscal year this division has exercised the utmost vigilance in the detection and prevention of fraud and irregular practices on the part of such attorneys, and in some conspicuous instances apprehension and conviction have resulted. These convictions have served

as examples to others engaged in like reprehensible practices, and it may be stated that there is a marked improvement in this particular, which leads to the hope that before long the office will be entirely free from this character of annoyance and harassment. This reference must not be construed as a reflection upon those attorneys whose conduct and methods have always been in accordance with the spirit of the pension laws and the practice prevailing in the Bureau. This latter class, happily, constitute the majority of those practicing before the office.

There is another class of persons through whom pension claimants and pensioners generally have suffered, to a greater or less degree. The persons herein referred to are those impostors who travel through the country representing themselves to be Government officers, and through such representations succeed, in some instances, in securing from their victims moneys and other things of value. Frauds of this character have always existed to a greater or less degree, and perhaps it would be expecting too much to hope to stamp them out entirely. Special examiners are instructed, however, to always be on the alert to apprehend such impostors and to bring them to justice, and the efforts of the service in this particular have been rewarded with satisfactory success. There is perhaps less of this character of fraud existing to-day than at any time since the pension system of the Government has innocently provided a field for the ingenious practices of such persons. It is believed that in nearly every instance of this character where operations of such impostors have been carried on for any length of time or to any great extent they have been apprehended through the vigilance of the special examination service and their operations broken up. Every conviction of an impostor exercises a wholesome influence, not only in the particular community where his operations were conducted, but extends to every section of the country where the subject of pensions is a matter of interest.

The foregoing is but a brief and by no means complete synopsis of the work accomplished by the special examination division during the fiscal year ended June 30, 1895, and in this connection reference is respectfully made to the tables submitted with this report, wherein the operations of the division will appear more fully and in detail.

Before concluding it may not be improper to refer to the different commissions which were organized in the early part of this administration. These commissions were six in number and were designated respectively as follows: The New Mexico, Van Leuven, Indian, Hansee, New Orleans, and Buffalo commissions. As set forth in the preceding annual report of this division, these commissions were organized for the purpose of investigating various irregularities and in many instances actual frauds practiced by certain attorneys whose methods had been conspicuously brought to the attention of the Bureau. The matters with which these commissions had to deal were of a character which particularly pertain to the functions of the law division of the office; and therefore the scope of the investigation of each was dictated by the law division, which division exercised final jurisdiction over the findings thereof in each particular case.

Without intending to infringe the prerogatives of the law division, it is thought a few general facts may with propriety be referred to in connection with the work accomplished by the commissions above noted. In the first place, all of these commissions have been dissolved with the exception of the Buffalo commission, and the work of the last-named commission is fast drawing to a close, and the completion of the same will be reached, in all probability, not later than the 1st of next November. Considering the character of the work devolving upon each of the commissions above referred to, and the difficulties with which each was beset in the prosecution of its labors, the results accomplished have been in the main satisfactory, and in a few instances have, in point of fact, exceeded the expectations of the Bureau. Numerous frauds in the execution of declarations for pensions and affidavits in support of the same were discovered; frauds in the preparation of false and fraudulent claims were brought to light; cases were developed in which, through the connivance of the attorneys, parties were secured to falsely personate the soldier or genuine claimant, and frauds of a general character were shown to exist through the collusion of the attorneys with unscrupulous persons whose assistance was called into requisition to aid in the accomplishment of the general scheme to defraud the Government.

After sufficient facts had been accumulated through the investigation of the several commissions to warrant such proceedings, indictments were secured and prosecutions begun with the least possible delay. It is a notorious fact that all the attorneys that were implicated in the frauds above mentioned were men of great or considerable influence in the community where they resided, and in their defense they called to their aid the ablest available counsel, and the friends of such attorneys lost no time in putting forth their best efforts to excite the popular mind against those officers of the Government simply engaged in the proper and legitimate discharge of their official duties. These influences were in most instances of a potent character, and they were invoked for the direct purpose of defeating the ends of justice, and had it not been that in each case the facts were so strong and incon-

trovertible as to admit of no other conclusion it would have been impossible to secure a single conviction. The value and thoroughness of the work accomplished by these commissions may be estimated from the fact that, despite popular prejudice and clamor, a large number of convictions followed, conspicuous among which are the following-named parties: T. A. Dunlap, W. Bowen Moore, George M. Van Leuven, W. B. Barnet, J. C. Hansee, H. N. Frisbie, C. W. Lewis, and J. L. Dupart. The foregoing are the names of those attorneys who have been successfully prosecuted and convicted through the efforts of the several commissions mentioned for flagrant violation of the pension laws. There are still others against whom indictments are pending, but who have not yet been brought to trial.

There were a number of other frauds developed in connection with and growing out of the conduct of these attorneys, but they are too numerous and cover too great a variety of offenses to admit of mention here in detail. Besides, it is presumed that the report of the chief of the law division will more particularly and extensively deal with the details of the work accomplished by these commissions. The above references are simply noted in order to show in a general way the character of the work pursued and to demonstrate the necessity for and the wisdom of the organization of said commissions, as well as to show a few of the more important results accomplished thereby.

With the amount of work now before this division it will be necessary to continue the present force engaged in field duty, and since this can not be done upon the basis of an appropriation of less than $500,000 per annum, it is respectfully submitted that Congress should be asked for an appropriation of the amount above named for the fiscal year ending June 30, 1897.

Very respectfully,

JAMES R. FRITTS,
Chief Special Examination Division.

The COMMISSIONER OF PENSIONS.

Statement showing the number of boards of examining surgeons and the number of single examining surgeons in the service June 30, 1896.

State.	Boards.	Surgeons.	Examining surgeons employed.	State.	Boards.	Surgeons.	Examining surgeons employed.
Alabama	7	4	25	Nebraska	54	11	173
Arizona	2	3	9	Nevada	.....	1	1
Arkansas	18	2	56	New Hampshire	11	3	36
California	20	7	67	New Jersey	9	4	31
Colorado	19	10	67	New Mexico	4	4	16
Connecticut	8	2	26	New York	60	21	201
Delaware	3	.....	9	North Carolina	10	17	47
District of Columbia	3	.....	9	North Dakota	9	1	28
Florida	3	8	17	Ohio	92	2	278
Georgia	6	4	22	Oklahoma	12	2	38
Idaho	1	4	7	Oregon	10	11	41
Illinois	90	11	281	Pennsylvania	80	14	354
Indiana	85	4	259	Rhode Island	2	.....	6
Indian Territory	4	1	13	South Carolina	2	.....	6
Iowa	83	8	257	South Dakota	28	7	91
Kansas	88	11	275	Tennessee	34	7	109
Kentucky	59	5	182	Texas	8	11	35
Louisiana	3	2	11	Utah	2	1	7
Maine	25	6	81	Vermont	14	.....	42
Maryland	11	2	35	Virginia	6	5	23
Massachusetts	16	9	57	Washington	17	7	58
Michigan	54	6	168	West Virginia	25	6	81
Minnesota	44	3	135	Wisconsin	46	13	151
Mississippi	7	5	26	Wyoming	3	3	12
Missouri	80	6	246				
Montana	5	7	22	Total	1,282	281	4,127

SUMMARY OF TABLES.

Table 1 furnishes a statement of the condition of the pending claims in this Bureau at the close of the fiscal year 1895.

Table 2 shows that there were at the close of the year 970,524 pensioners, classified as follows:

Widows and daughters of Revolutionary soldiers	12
Army invalid pensioners	352,453
Army widows, minor children, etc	100,220
Navy invalid pensioners	4,770
Navy widows, minor children, etc	2,431
Survivors of the war of 1812	21
Widows of soldiers of the war of 1812)	3,826
Survivors of the Mexican war	12,586
Widows of soldiers of the Mexican war	7,868
Survivors of the Indian wars (1832–1842)	3,012
Widows of survivors of the Indian wars (1832–1842)	3,911
Army nurses	499
Act of June 27, 1890:	
Army invalid pensioners	365,118
Army widows, minor children, etc	95,696
Navy invalid pensioners	12,997
Navy widows, minor children, etc	5,104

There were added to the rolls during the year the names of 39,185 new pensioners, and the names of 4,206 who had previously been dropped were restored. During the same period the names of 42,411 persons were dropped for various causes.

The average annual value of each pension at the close of the year was $133.99; the average annual value of each pension under the general law was $158.39, while the average annual value of each pension under the act of June 27, 1890, was $112.15. The aggregate annual value of all pensions at the close of the year was $130,048,365.

Table 3 shows by classes and causes the number (42,411) of pensioners dropped during the year, and also gives a classification of the number of pensioners on the rolls at the close of the year.

Table 4 exhibits the amount of the appropriations for the payment of pensions for the fiscal year 1895, the disbursements for said purpose during that period, and the unexpended balances thereof at the close of the year.

Table 5 shows the amount paid out on account of pensions by each pension agent under each item of appropriation, as shown by their accounts current.

Table 6 shows the amount expended for Army pensions and for Navy pensions, separately, under the general law, so arranged as to show the amounts respectively paid to invalids and to widows and others.

Table 7 shows the information, presented in the same manner, in cases which have been allowed under the act of June 27, 1890.

Table 8 shows the amount and number of first payments made at the pension agencies during the year in each class of cases. It will be seen that 102,966 first payments were made during the year, and that they amounted to $11,451,133.01. It will also be seen that the average value of all original payments made during the year was $210.12; that the average value of original payments in cases allowed under the general law was $398.47, while the average value of original payments in cases allowed under the act of June 27, 1890, was $163.54. The amount paid as fees to attorneys during the year in all classes of cases was $581,648.26. This table also shows that there were in the hands of the pension agents at the close of the year, unpaid, 3,659 cases, in which there was due, as first payments, the sum of $1,469,300.20.

Table 9 shows the amount paid for pensions each year since 1871 to survivors and widows of the war of 1812, and since 1887 to survivors and widows of the war with Mexico. This table also furnishes a statement showing the amount disbursed to survivors and widows of the Indian wars. These pensioners were placed upon the rolls by the act of July 27, 1892.

Table 10 is a classified statement of the number of pensioners on the rolls of each agency, and it compares the aggregate number with that of the previous year, showing in each class the net increase or net decrease. It will be seen that the net increase to the rolls during the year was 980.

Table 11 shows the number of original claims filed each year since 1861, the number allowed, and the amount disbursed each year.

Table 12 shows the different monthly rates of pension paid, respectively, to invalids and widows and others under the general law, to invalids and widows and others under the act of June 27, 1890, as well as to the survivors and widows of the war of 1812, of the war with Mexico, and of the Indian wars of 1832–1842.

Table 13 shows the number of pensioners in each State and Territory of the United States and the number in each foreign country on the rolls June 30, 1895, and the amount paid for pensions during the fiscal year 1895 in each State and Territory and in each foreign country.

Table 14 shows the issue of certificates during the fiscal year 1895, a grand total of 96,337.

Table 15 shows the operations of the Army and Navy survivors' division of this Bureau during the fiscal year 1895.

Table 16 shows the work done by the mail division of this Bureau during the fiscal year.

Table 17 shows in brief the operations of the special examination division during the year.

Table 18 gives the names, ages, and post-office addresses of the 12 persons who were on the rolls June 30, 1895, as either the widows or children of soldiers of the Revolutionary war.

Table 19 gives the names, ages, service, and post-office addresses of the 21 survivors of the war of 1812 who were on the pension roll at the close of the fiscal year.

It is proper to add, in addition to the information herein given, that during the fiscal year 1895 there were 103,355 claims to pension of the various classes rejected.

During the year 44 original bounty land claims and 8 duplicate bounty land claims were admitted, and 408 original bounty land claims and 5 duplicate bounty land claims were rejected.

TABLE NO. 1.—*Statement showing the number of claims pending July 1, 1895.*

SERVICE PRIOR TO MARCH 4, 1861.

Old wars:		
Original invalid	296	
Original widows	103	
War of 1812:		399
Survivors	13	
Widows	101	
Indian wars, act of July 27, 1892:		114
Survivors	263	
Widows	1,064	
Mexican war:		1,327
Survivors	499	
Widows	981	
		1,480
Bounty land		280

SERVICE SINCE MARCH 4, 1861.

	Army.	Navy.	Total.
General laws:			
Original invalid	63,967	2,640	66,607
Original widow	38,059	671	38,730
Original widow consolidated with applications of persons having prior title	9,699	156	9,855
Army nurses	474	.....	474
Number of persons pensioned under the act of June 27, 1890, who have original claims pending under the general laws:			
Invalid	58,121	1,153	59,274
Widows	12,260	472	12,732
Act of June 27, 1890:			
Original invalid	63,541	3,282	66,823
Original widow	34,763	1,289	36,052
Original widow consolidated with applications of persons having prior title	11,757	349	12,106
Claims under act of June 27, 1890, additional to others on file, but not pensioned:			
Invalid, with original invalid (old law), rejected or abandoned	8,959	186	9,145
Widow, with original widow (old law), rejected or abandoned	2,006	45	2,051
Widow, with widow formerly pensioned (old law), but dropped from rolls	125	.....	125
Number of persons on rolls under old laws who have original claims pending under the act of June 27, 1890:			
Invalid	41,275	140	41,415
Widows	10	.....	10
Claims under act of June 27, 1890, with pending old law claims on file therewith:			
Invalid	17,822	571	18,393
Widows	8,723	188	8,911
Number of persons pensioned under all laws who have increase claims pending:			
General laws	95,632	636	96,268
Act of June 27, 1890	48,567	865	49,432
Old wars	.....	.....	1,847
Number of claims of widows, etc., for accrued pensions of deceased pensioners	.....	.....	18,360
Total number of pending claims	534,120	12,643	552,210

SERVICE SINCE MARCH 4, 1861—Continued.

	Army.	Navy.	Total.
Of the above pending claims, including increase claims, the number under the act of June 27, 1890, is:			
Invalid	131,597	4,179	135,776
Widows	57,384	1,871	59,255
Increase	48,567	865	49,432
Total			244,463
There are also in the files of the Bureau rejected and abandoned claims as follows:			
Rejected.			
General laws:			
Invalid	53,575	2,981	56,556
Widows	41,137	1,629	42,766
Act of June 27, 1890:			
Invalid	89,320	6,422	95,742
Widows	16,476	894	17,370
Bounty land			94,102
Old war, invalid			19,433
Old war, widows			6,454
Survivors, war of 1812			9,231
Widows, war of 1812			9,742
Survivors, Mexican war			3,166
Widows, Mexican war			1,407
Survivors, Indian wars			1,119
Widows, Indian wars			1,107
Army nurses			240
Total number of rejected claims	200,508	11,926	358,435
Abandoned.			
General laws:			
Invalid	23,997	576	24,573
Widows	28,472	497	28,969
Act of June 27, 1890:			
Invalid	7,571	497	8,068
Widows	5,827	346	6,173
Bounty land			698
Old war, invalid			188
Old war, widows			170
Survivors, war of 1812			10
Widows, war of 1812			68
Survivors, Mexican war			265
Widows, Mexican war			514
Army nurses			5
Total number abandoned claims	65,867	1,916	69,701
Total number rejected claims			358,435
Total number of rejected and abandoned claims			428,136

STATEMENT OF NUMBER OF CLAIMANTS.

Original invalid:	
General laws	87,653
Act of June 27, 1890	130,870
Old war	296
1812 service	13
Mexican service	499
Indian wars	263
Army nurses	474
Increase invalid:	
General laws	78,283
Act of June 27, 1890	48,592
Old war	155
Mexican war (act of Jan. 5, 1893)	1,692
Original widows:	
General laws	49,525
Act of June 27, 1890	58,175
Old war	103
1812 service	101
Mexican service	981
Indian wars	1,064
Widows' increase (supplemental and increase for helpless child, etc.)	456
Bounty land	280
Total number of claimants	459,475
Number of claimants already pensioned	248,710
Number of claimants not pensioned	210,765

RECAPITULATION.

Number of claims pending July 1—	
1894	619,027
1895	552,210
Decrease	66,817
Number of claimants July 1—	
1894	514,414
1895	459,475
Decrease	54,939
Number of claimants not pensioned July 1—	
1894	287,209
1895	210,765
Decrease	76,444

TABLE No. 2.—*Number of pensions allowed and increased during the year, with the annual value of all pensions on the rolls.*

Year ending June 30, 1896.		Pensions allowed and increased during the year.						Dropped from the roll.		Number of pensioners June 30, 1895.	Annual value of pensions as shown by the roll June 30, 1895.
		Original.		Increase, reissue, and additional.		Restoration and renewal.					
		Number.	Annual value.	Number.	Annual value.	Number.	Annual value.	Number.	Annual value.		
Army, general law	Invalids	5,124	$438,153	47,361	$1,857,272	3,455	$348,886	9,524	$1,687,831	352,453	$56,198,273
	Nurses	84	12,096	2	.....	.....	.....	7	1,008	499	72,012
	Widows, etc.	3,491	502,495	273	23,467	40	4,810	6,380	930,395	100,232	15,343,678
Navy, general law	Invalids	291	39,902	823	37,075	88	9,570	287	39,419	4,770	838,113
	Widows, etc.	136	27,083	12	1,431	1	15	110	19,756	2,431	470,332
Army, act June 27, 1890	Invalids	15,727	1,466,486	26,158	434,174	481	46,325	18,277	2,093,162	365,118	41,778,627
	Widows, etc.	10,430	1,062,502	233	1,174	108	12,625	4,360	472,886	95,696	9,932,872
Navy, act June 27, 1890	Invalids	1,713	158,727	899	28,421	20	1,964	823	93,345	12,997	1,470,658
	Widows, etc.	572	60,208	12	.....	2	240	212	24,961	5,104	530,952
War of 1812	Survivors	1	96	2	600	.....	.....	25	2,613	21	3,168
	Widows	16	2,304	5	96	.....	.....	637	93,021	3,826	551,748
War with Mexico	Survivors	96	9,216	1,136	77,430	10	960	981	104,025	12,586	1,436,580
	Widows	520	49,920	.....	.....	1	96	339	39,012	7,868	756,180
Indian wars 1832-1842	Survivors	189	18,144	26	48	.....	.....	281	26,976	3,012	289,536
	Widows	795	76,320	5	.....	.....	.....	168	16,128	3,911	375,636
Total		39,185	3,923,652	76,447	2,461,188	4,206	425,491	42,411	5,644,538	970,524	130,048,365

Average annual value of each pension $133.99
Average annual value of each pension under the general law 158.39
Average annual value of each pension under act June 27, 1890 ..... 112.15

Under the act of March 2, 1895, all invalid pensions below $6 per month were increased by the pension agents without the issue of certificates by this Bureau. The discrepancy between the number of increase cases as reported in this table and the number shown in Table No. 14 is thus explained.

TABLE No. 3.—*Number of pensioners of the various classes dropped from the rolls during the year, with the cause, and the number of each class on the rolls June 30, 1895.*

Classes.	By death.	By remarriage.	Minors by legal limitation.	By failure to claim.	For other causes.	Total number of pensioners dropped from the rolls.	Total number of pensioners of all lasses on the rolls June 30, 1895.
General law.							
Army and Navy: Invalids	8,419	.....	.....	660	732	9,811	357,223
Army and Navy: Nurses	7	.....	.....	.....	.....	7	499
Army and Navy: Widows, etc.	4,417	655	542	584	292	6,490	102,663
Total	12,843	655	542	1,244	1,024	16,308	460,385
Classification of widows' roll, general law:							
Widows without children	1,887	295	.....	345	157	2,684	59,881
Widows with children	158	355	.....	28	56	597	16,837
Minor children	9	.....	542	.....	48	599	2,496
Mothers	1,759	5	.....	143	25	1,932	19,305
Fathers	594	.....	.....	57	6	657	4,042
Brothers and sisters, dependent sons and daughters	10	.....	.....	11	.....	21	102
Act June 27, 1890.							
Army and Navy: Invalids	10,353	.....	.....	922	7,825	19,100	378,115
Army and Navy: Widows, etc.	2,620	544	602	147	659	4,572	100,800
Total	12,973	544	602	1,069	8,484	23,672	478,915
Classification of widows' roll, act of June 27, 1890:							
Widows without children	1,452	238	.....	109	369	2,168	61,403
Widows with children	265	302	.....	11	199	777	25,466
Minor children	19	.....	602	.....	26	647	3,899
Mothers	501	4	.....	16	34	555	6,577
Fathers	376	.....	.....	11	19	406	3,266
Helpless children	7	.....	.....	.....	12	19	189
War of 1812.							
Survivors	24	.....	.....	.....	1	25	21
Widows	575	.....	.....	54	8	637	3,826
Total	599	.....	.....	54	9	662	3,847
War with Mexico.							
Survivors	738	.....	.....	153	90	981	12,586
Widows	249	5	.....	47	38	339	7,868
Total	987	5	.....	200	128	1,320	20,454
Indian wars, 1832-1842.							
Survivors	276	.....	.....	.....	5	281	3,012
Widows	138	.....	.....	.....	30	168	3,911
Total	414	.....	.....	.....	35	449	6,923
Grand total	27,816	1,204	1,144	2,567	9,680	42,411	970,524

Total number of children on the rolls: General law, 24,669; act June 27, 1890, 48,438.

This table does not include the cases which, during the year, were dropped from the roll under the general law and pensioned under the act of June 27, 1890, as "additional" cases.

The number of army invalids dropped "for other causes" does not include 8 army nurses which have been heretofore erroneously reported as army invalids, but which are now properly classified.

TABLE NO. 4.—*Showing the appropriations for pensions and the disbursements on account thereof for the fiscal year 1895, and unexpended balances at the close of the year.*

Items of appropriation.	Amount appropriated, act July 18, 1894.	Disbursements.			Balances.		
		Amount disbursed by U. S. pension agents.	Amount disbursed by Treasury settlements.	Total amount disbursed.	Balance remaining in the hands of U. S. pension agents June 30, 1895.	Balance remaining in the U. S. Treasury June 30, 1895.	Available balances June 30, 1895.
Army pensions	$146,000,000.00	$136,098,265.37	$53,585.98	$136,151,851.35	$1,607,055.89	$8,249,378.21	$9,856,434.10
Navy pensions	4,000,000.00	3,650,980.43	4,505.52	3,655,485.95	103,993.29	240,907.89	344,901.18
Army, fees of examining surgeons	970,000.00	561,304.87	.....	561,304.87	88,695.13	320,022.00	408,717.13
Navy, fees of examining surgeons	30,000.00	17,204.70	.....	17,204.70	7,795.30	5,000.00	12,795.30
Salary	72,000.00	71,866.68	.....	71,866.68	.....	133.32	133.32
Clerk hire	450,000.00	446,928.62	.....	446,928.62	1,488.15	1,583.23	3,071.38
Rent	23,070.00	22,902.00	.....	22,902.00	.....	168.00	168.00
Fuel	750.00	177.25	.....	177.25	27.75	545.00	572.75
Lights	750.00	385.35	.....	385.35	114.65	250.00	364.65
Contingent expenses	35,000.00	22,818.79	8,435.81	31,254.60	597.99	3,187.36	3,785.35
Total	151,581,570.00	140,892,834.06	66,527.31	140,959,361.37	1,809,768.15	8,821,175.01	10,630,943.16

In addition to the above, there were disbursed during the fiscal year ended June 30, 1895, the following sums chargeable to the appropriations for the fiscal year ended June 30, 1894:

Fees of examining surgeons, Army pensions	$221,326.21
Fees of examining surgeons, Navy pensions	7,931.55
Total	229,257.76

Amounts refunded to the following appropriations: Army pensions, 1895, $8,285.45; Navy pensions, 1895, $387.13; Army, fees of examining surgeons, 1895, $22, and contingent expenses, 1895, $39.95.

Louisville	4,229,736.00		4,000.00	10,445.77				504.75	4,244,686.52				4,244,686.52
Milwaukee	7,346,445.69		4,000.00	20,596.50	2,500.00			684.48	7,374,226.67				7,374,226.67
New York	6,475,220.18		4,000.00	31,489.50	10,000.00			3,021.96	6,523,731.64	679,912.73		679,912.73	7,203,644.37
Philadelphia	7,308,073.91		4,000.00	30,170.83				1,576.63	7,343,821.37	479,715.96		479,715.96	7,823,537.33
Pittsburg	6,651,025.76		4,000.00	24,530.00				1,531.27	6,681,087.03				6,681,087.03
San Francisco	2,906,728.53		3,866.68	9,000.00	1,872.00	$36.00		1,315.39	2,922,818.60	142,867.74		142,867.74	3,065,686.34
Topeka	14,900,023.04		4,000.00	40,804.80	2,250.00			1,810.14	14,948,887.98				14,948,887.98
Washington	7,818,567.93	$561,304.87	4,000.00	30,210.00	1,380.00	141.25	60.50	1,758.38	8,417,422.93	774,573.34	$17,204.70	791,778.04	9,209,200.97
Total	136,098,265.37	561,304.87	71,866.68	446,928.62	22,902.00	177.25	385.35	22,818.79	137,224,648.93	3,650,980.43	17,204.70	3,668,185.13	140,892,834.06

In addition to the above, there were disbursed during the fiscal year ended June 30, 1895, the following sums chargeable to the appropriations for the fiscal year ended June 30, 1894:

Fees of examining surgeons, Army pensions	$221,326.21
Fees of examining surgeons, Navy pensions	7,931.55
Total	229,257.76

TABLE No. 6.—*Statement of amount paid for pensions under the general law.*

Agency.	Army pensions.				Navy pensions.			Grand total.
	Invalids.	Nurses.	Widows and others.	Total.	Invalids.	Widows and others.	Total.	
Augusta	$1,702,412.14	$720.00	$491,303.32	$2,194,435.46				$2,194,435.46
Boston	2,457,955.04	6,375.20	1,230,945.63	3,695,275.87	$222,398.88	$136,895.29	$359,294.17	4,054,570.04
Buffalo	3,061,595.82	2,014.80	1,083,669.96	4,147,280.58				4,147,280.58
Chicago	4,813,945.16	5,824.40	1,360,787.68	6,180,557.24	191,219.15	68,248.50	259,467.65	6,440,024.89
Columbus	7,051,165.49	8,125.60	1,988,884.57	9,048,175.66				9,048,175.66
Concord	1,710,119.14	754.40	502,004.51	2,212,878.05				2,212,878.05
Des Moines	4,117,232.68	7,504.40	788,883.41	4,913,620.49				4,913,620.49
Detroit	3,651,337.56	3,904.80	768,581.78	4,423,824.14				4,423,824.14
Indianapolis	6,600,174.87	3,581.60	1,477,424.55	8,081,131.02				8,081,131.02
Knoxville	1,656,567.55	4,215.33	785,866.74	2,446,649.62				2,446,649.62
Louisville	1,551,257.45	1,562.00	592,188.49	2,145,007.94				2,145,007.94
Milwaukee	3,642,335.09	2,651.60	790,639.06	4,435,625.75				4,435,625.75
New York City	2,146,228.53	4,108.80	1,072,501.56	3,222,838.89	137,847.64	93,158.45	231,006.09	3,453,844.98
Philadelphia	2,435,449.31	5,173.60	1,058,983.64	3,499,606.55	116,112.39	69,134.28	185,246.67	3,684,853.22
Pittsburg	2,483,965.79	432.00	760,395.36	3,244,793.15				3,244,793.15
San Francisco	803,819.91	6,886.40	192,176.38	1,002,882.69	32,140.01	6,561.03	38,701.04	1,041,583.73
Topeka	5,480,210.40	8,212.53	1,235,550.57	6,723,973.50				6,723,973.50
Washington	3,140,856.44	7,222.80	930,717.22	4,078,796.46	175,865.57	141,219.06	317,084.63	4,395,881.09
Total	58,506,628.37	79,220.26	17,111,504.43	75,697,353.06	875,583.64	515,216.61	1,390,800.25	77,088,153.31

TABLE NO. 7.—*Statement of amount paid for pensions under the act of June 27, 1890.*

Agency.	Army pensions.			Navy pensions.			Grand total.
	Invalids.	Widows and others.	Total.	Invalids.	Widows and others.	Total.	
Augusta	$595,115.11	$165,671.69	$760,786.80				$760,786.80
Boston	1,896,033.35	916,039.35	2,812,072.70	$331,307.03	$141,976.88	$473,283.91	3,285,356.61
Buffalo	1,845,568.41	508,180.12	2,353,748.53				2,353,748.53
Chicago	2,834,238.71	784,340.61	3,618,579.32	393,175.22	88,689.71	481,864.93	4,100,444.25
Columbus	5,128,977.76	1,138,883.12	6,267,860.88				6,267,860.88
Concord	634,941.60	165,432.52	800,374.12				800,374.12
Des Moines	2,801,936.86	519,987.35	3,321,924.21				3,321,924.21
Detroit	2,112,689.07	411,230.26	2,523,919.33				2,523,919.33
Indianapolis	2,093,399.93	580,652.78	2,674,052.71				2,674,052.71
Knoxville	2,862,750.18	861,702.83	3,724,453.01				3,724,453.01
Louisville	1,486,475.21	459,324.70	1,945,799.91				1,945,799.91
Milwaukee	2,400,550.02	452,203.60	2,852,753.62				2,852,753.62
New York City	2,045,081.71	1,110,666.08	3,155,747.79	287,382.14	161,524.50	448,906.64	3,604,654.43
Philadelphia	2,695,495.62	1,035,200.93	3,730,696.55	197,822.43	96,646.86	294,469.29	4,025,165.84
Pittsburg	2,698,900.17	667,529.37	3,366,429.54				3,366,429.54
San Francisco	1,356,554.48	249,469.63	1,606,024.11	88,684.18	15,482.52	104,166.70	1,710,190.81
Topeka	6,505,359.39	1,328,295.69	7,833,655.08				7,833,655.08
Washington	2,836,563.04	656,713.86	3,493,276.90	349,225.78	108,262.93	457,488.71	3,950,765.61
Total	44,830,630.62	12,011,524.49	56,842,155.11	1,647,596.78	612,583.40	2,260,180.18	59,102,335.29

TABLE No. 8.—*Number and amount of first payments on each class of certificates made during fiscal year 1895 by pension agents to each class of pensioners.*

Class of cases.		Original.		Increase and additional.		Reissue.		Restoration and renewal.		Number and total amount of first payments made during the year.	
		No.	Amount.	No.	Amount.	No.	Amount.	No.	Amount.	No.	Amount.
Army, general law	Invalids	3,514	$1,222,139.09	46,451	$736,709.58	4,947	$1,459,403.77	2,749	$375,809.25	57,661	$3,793,561.69
	Nurses	84	13,207.66							84	13,207.66
	Widows, etc.	3,122	1,496,047.13	23	7,089.71	418	300,257.65	51	43,118.42	3,614	1,846,512.91
Navy, general law	Invalids	250	49,051.13	725	11,011.90	83	27,835.96	90	13,477.45	1,148	101,376.44
	Widows, etc.	107	39,553.27	6	382.73	19	18,244.84	5	1,374.40	137	59,555.24
Army, act June 27, 1890	Invalids	15,013	2,187,351.26	5,367	474,356.03	2,790	106,659.35	535	65,777.65	23,705	2,834,144.29
	Widows, etc.	10,905	2,073,455.16	32	3,012.14	64	5,310.31	77	24,002.43	11,078	2,105,780.04
Navy, act June 27, 1890	Invalids	1,621	251,394.81	170	8,295.80	62	4,775.51	25	1,627.79	1,878	266,093.91
	Widows, etc.	620	92,957.71			5	607.94	4	926.33	629	94,491.98
War of 1812	Survivors	1	16.53	1	150.67					2	167.20
	Widows	15	10,110.82			1	49.60			16	10,160.42
War with Mexico	Survivors	115	42,460.27	1,463	33,296.74	7	314.40	3	238.40	1,588	76,309.81
	Widows	483	90,628.16			2	147.47	2	386.67	487	91,162.30
Indian wars, 1832-1842	Survivors	232	34,677.93	1	43.47	21	1,573.04			254	36,294.44
	Widows	684	122,290.68			1	24.00			685	122,314.68
Total		36,766	7,725,341.61	54,239	1,274,348.77	8,420	1,925,203.84	3,541	526,238.79	102,966	11,451,133.01

Amount paid as fees to attorneys	$581,648.26
Average value of all original payments during year	210.12
Average value of original payments in act June 27, 1890, cases	163.54
Average value of original payments in general law cases	398.47

There remained in the hands of the pension agents unpaid at the close of the year 3,659 cases of all classes, on which there was due as first payments the sum of $1,469,300.20.

TABLE No. 9.—*Statement showing amounts paid for pensions to the survivors and widows of the war of 1812 since 1871, of the war with Mexico since 1887, and of the Indian war since 1893.*

Fiscal year.	War of 1812.			War with Mexico.		
	Survivors.	Widows.	Total disbursements.	Survivors.	Widows.	Total disbursements.
1871 (from Feb. 14, 1871)	$2,555.05	$511.00	$3,066.05	.....	.....	.....
1872	1,977,415.84	335,993.63	2,313,409.47	.....	.....	.....
1873	2,078,606.98	689,303.59	2,767,910.57	.....	.....	.....
1874	1,588,832.95	616,016.40	2,204,849.35	.....	.....	.....
1875	1,355,599.86	533,000.21	1,888,600.07	.....	.....	.....
1876	1,089,037.18	445,772.95	1,534,810.13	.....	.....	.....
1877	934,657.82	361,548 91	1,296,206.73	.....	.....	.....
1878 (from Mar. 9, 1878)	768,913.47	294,572.05	1,063,490.52	.....	.....	.....
1879	1,014,525.66	2,192,699.54	3,207,225.20	.....	.....	.....
1880	790,710.39	2,658,058.14	3,448,768.53	.....	.....	.....
1881	621,612.80	2,381,800.95	3,003,413.75	.....	.....	.....
1882	478,274.85	2,024,207.63	2,502,482.48	.....	.....	.....
1883	357,334.81	1,882,542.41	2,239,877.22	.....	.....	.....
1884	278,888.85	1,686,302.09	1,965,190.94	.....	.....	.....
1885	207,782.80	1,518,202.39	1,725,985.19	.....	.....	.....
1886	144,389.59	1,458,896.44	1,603,286.03	.....	.....	.....
1887	105,837.01	1,765,582.36	1,871,419.37	$53,148.68	$2,458.08	$55,606.76
1888	73,659.48	1,596,604.96	1,670,264.44	1,861,756.07	583,056.28	2,444,812.35
1889	52,800.27	1,397,487.09	1,450,287.36	1,796,899.30	693,572.45	2,490,471.75
1890	38,847.09	1,263,239.37	1,302,086 46	1,728,027.54	695,054.90	2,423,082.44
1891	22,504.64	1,040,284.41	1,062,789.05	1,622,114.75	695,314.52	2,317,429.27
1892	11,908.93	827,080.53	838,989.46	1,425,258.18	686,733.57	2,111,991.75
1893	10,494.27	721,060.32	731,554.59	1,396,392.38	736,173.41	2,132,565.79
1894	5,312.20	645,297.46	650,609.66	1,388,707.67	803,345.91	2,192,052.98
1895	3,583.27	541,923.48	545,506.75	1,433,690.86	802,032.96	2,235,723.82
Total	14,014,091.06	28,877,988.31	42,892,079.37	12,705,994.83	5,697,742.08	18,403,736.91

Fiscal year.	Indian wars, 1832–1842.		
	Survivors.	Widows.	Total disbursements.
1893	$158,076.26	$66,434.05	$224,510.31
1894	377,883.57	456,652.25	834,535.82
1895	308,365.24	469,161.39	777,526.63
Total	844,325.07	992,247.69	1,836,572.76

TABLE No. 10.—*Classified statement of the number of pensioners on the rolls of each agency compared with the number on the rolls June 30, 1894.*

Location of agency.	General law.					Act of June 27, 1890.			
	Army.			Navy.		Army.		Navy.	
	Invalids.	Nurses.	Widows, etc.	Invalids.	Widows, etc.	Invalids.	Widows, etc.	Invalids.	Widows, etc.
Topeka	32,620	52	6,571	.....	.....	52,433	9,851	.....	.....
Columbus	40,839	47	11,594	.....	.....	41,508	8,939	.....	.....
Chicago	30,007	39	7,840	1,043	353	23,221	5,990	3,058	705
Indianapolis	40,060	21	9,031	.....	.....	17,245	4,578	.....	.....
Philadelphia	15,202	35	6,756	718	359	23,596	8,951	1,702	873
Knoxville	10,039	28	4,442	.....	.....	23,649	6,237	.....	.....
Des Moines	25,376	42	4,246	.....	.....	22,484	3,668	.....	.....
Washington	16,267	49	4,563	870	566	22,328	4,966	2,618	791
Boston	18,329	48	7,660	1,268	681	15,798	8,588	2,687	1,249
New York	13,624	28	6,562	698	442	17,018	10,214	2,319	1,354
Milwaukee	23,032	17	4,676	.....	.....	19,332	3,328	.....	.....
Pittsburg	14,601	5	4,592	.....	.....	21,872	5,051	.....	.....
Buffalo	19,656	14	6,674	.....	.....	15,245	4,199	.....	.....
Detroit	20,411	14	4,556	.....	.....	16,654	3,277	.....	.....
Louisville	8,825	11	3,402	.....	.....	12,188	3,316	.....	.....
San Francisco	5,256	45	860	173	30	10,765	1,808	613	132
Concord	10,056	4	3,189	.....	.....	4,947	1,423	.....	.....
Augusta	10,233	5	3,028	.....	.....	4,840	1,312	.....	.....
Total	352,453	499	100,232	4,770	2,431	365,118	95,696	12,997	5,104
Increase during year	.....	85	.....	21	27	2,050	6,178	981	362
Decrease during year	5,072	.....	2,849	.....	.....	.....	.....	.....	.....

LE No. 10.—*Classified statement of the number of pensioners on the rolls of each agency compared with the number on the rolls June 30, 1894*—Continued.

Location of agency.	War of 1812.		War with Mexico.		Indian wars, 1832-1842.		Number of pensioners on the rolls June 30, 1895.	Number of pensioners on the rolls June 30, 1894.
	Survivors.	Widows.	Survivors.	Widows.	Survivors.	Widows.		
Topeka	1	178	1,619	904	147	182	104,558	104,917
Columbus	.....	201	499	286	14	7	104,034	103,611
Chicago	.....	158	771	590	118	202	74,155	74,118
Indianapolis	.....	172	567	365	26	35	72,109	71,489
Philadelphia	.....	134	294	270	16	17	58,923	57,749
Knoxville	4	854	3,744	2,848	2,415	3,142	57,402	57,042
Des Moines	2	83	462	215	40	47	56,665	56,989
Washington	2	449	858	551	27	44	54,949	55,963
Boston	1	214	157	126	12	14	54,832	55,045
New York	4	203	377	269	16	17	53,155	53,482
Milwaukee	.....	53	272	125	28	36	50,899	51,431
Pittsburg	.....	96	133	113	3	5	46,461	45,774
Buffalo	2	319	104	73	12	6	46,304	46,896
Detroit	2	110	159	98	13	14	45,308	45,010
Louisville	.....	146	586	419	25	22	28,940	29,414
San Francisco	1	30	1,888	566	95	51	22,313	21,058
Concord	1	126	45	14	4	2	19,811	20,063
Augusta	1	200	51	36	1	8	19,715	19,523
Total	21	3,826	12,586	7,868	3,012	3,911	970,524	969,544
Increase during year	.....	.....	.....	182	.....	627	980	.....
Decrease during year	24	621	875	.....	92	.....	.....	.....

TABLE NO. 11.—*Original pension claims filed and allowed each year since July, 1861, and the annual amount paid on account of pensions since July 1, 1860.*

Fiscal year ending June 30—	General law.						Act June 27, 1890.				War of 1812.				War with Mexico.				Total number of applications filed.	Total number of claims allowed.	Disbursements.
	Army applications filed.		Navy applications filed.		Army and Navy claims allowed.		Applications filed		Claims allowed.		Applications filed.		Claims allowed.		Applications filed.		Claims allowed.				
	Invalids.	Widows, etc.	Invalids.	Widows, etc.	Invalids.	Widows, etc.	Invalids.	Widows, etc.	Invalids.	Widows, etc.	Survivors.	Widows.	Survivors.	Widows.	Survivors.	Widows.	Survivors.	Widows.			
1861																					$1,072,461.55
1862	1,362	1,000	60	65	413	49													2,487	462	790,384.76
1863	26,380	22,377	290	285	4,121	3,763													49,332	7,884	1,025,139.91
1864	20,263	32,627	385	324	17,041	22,446													53,599	39,487	4,504,616.92
1865	27,299	44,464	455	466	15,212	24,959													72,684	40,171	8,525,153.11
1866	35,799	28,732	350	375	22,883	27,294													65,256	50,177	13,459,996.43
1867	15,905	20,265	250	333	16,589	19,893													36,753	36,482	18,619,956.46
1868	7,292	13,099	170	207	9,460	19,461													20,768	28,921	24,010,981.99
1869	11,035	14,406	290	245	7,292	15,904													26,066	23,196	28,422,884.08
1870	12,991	11,400	260	200	5,721	12,500													24,851	18,221	27,780,811.81
1871	8,837	8,985	190	142	7,934	8,399					20,741	5,074	198	31					43,969	16,562	33,077,383.63
1872	8,857	6,755	240	178	6,468	7,244					6,546	3,815	17,504	3,117					26,391	34,333	30,169,341.00
1873	8,728	6,427	248	120	6,551	4,073					1,481	1,299	3,186	2,242					18,303	16,052	29,185,289.62
1874	9,302	5,603	228	151	5,937	3,152					737	713	563	810					16,734	10,462	30,593,749.56
1875	11,926	5,294	310	178	5,760	4,736					425	571	240	416					18,704	11,152	29,683,116.63
1876	17,030	5,264	344	130	5,360	4,376					319	436	73	168					23,523	9,977	28,351,599.69
1877	16,532	5,269	271	97	7,282	3,861					198	348	57	126					22,715	11,326	28,580,154.04
1878	18,812	6,661	300	131	7,414	3,550					2,786	15,897	817	181					44,587	11,962	26,844,415.18
1879	36,835	9,767	599	215	7,242	3,379					811	8,891	2,548	18,177					57,118	31,346	33,780,526.19
1880	110,673	25,602	1,361	559	10,176	4,455					295	2,976	284	4,630					141,466	19,545	57,240,540.14
1881	18,455	10,527	515	225	21,394	3,920					109	1,285	115	1,965					31,116	27,394	50,626,538.51
1882	29,004	10,349	472	211	22,946	3,999					85	818	26	693					40,939	27,664	54,296,280.54
1883	35,039	11,878	777	251	32,014	5,303					61	770	23	822					48,776	38,162	60,431,972.85
1884	28,962	11,289	671	244	27,414	6,366					52	567	24	388					41,785	34,192	57,273,536.74
1885	27,959	11,557	725	277	27,580	7,743					27	373	18	426					40,918	35,767	65,693,706.72
1886	35,202	13,238	862	265	31,937	8,610					24	304	5	305					49,895	40,857	64,584,270.45
1887	36,484	15,759	836	338	35,283	11,217					17	313	8	231	14,735	3,983	7,552	903	72,465	55,194	74,815,486.85
1888	47,505	18,444	1,251	427	35,843	10,816					23	223	2	251	5,045	2,808	9,048	4,292	75,726	60,252	79,646,146.37
1889	52,152	23,597	1,312	579	36,830	11,924					14	183	8	181	2,032	1,351	1,172	1,206	81,220	51,921	89,131,968.44
1890	71,570	28,365	2,162	788	50,395	14,658					166	16	4	108	1,009	968	794	678	105,044	66,637	106,493,890.19
1891	20,519	17,521	1,404	590	41,381	11,914	243,680	78,270	88,611	13,776	11	140	4	79	706	875	336	385	363,716	156,486	118,548,959.71
1892	17,432	15,765	742	404	17,876	7,287	131,484	31,282	162,896	34,974	11	71	2	46	395	759	416	550	198,345	224,047	141,086,948.84
1893	9,213	12,000	654	358	10,232	7,295	65,002	20,914	62,291	36,917		49	2	16	428	794	205	440	119,361	121,630	158,155,342.51
1894	6,053	8,551	600	237	6,129	4,225	6,643	15,329	8,810	16,026	3	38		26	211	772	174	702	40,148	39,085	140,772,163.78
1895	4,280	7,326	370	246	5,415	3,627	8,471	14,598	17,440	11,002	1	28	1	16	152	636	96	520	37,060	39,185	140,959,361.37
Total	845,687	490,253	19,954	9,841	571,525	312,398	455,280	160,393	340,048	112,695	34,943	45,198	25,712	35,451	24,713	12,946	20,393	9,676	2,111,820	1,436,191	1,858,235,076.57

Beginning with 1893, the total number of applications filed and the total number of claims allowed include army nurses and survivors and widows of Indian wars. The filings and allowances in these classes during 1895 have been as follows: Claims of nurses filed, 103; allowed, 84. Claims of survivors of Indian wars filed, 193; allowed, 189. Claims of widows of Indian wars filed, 656; allowed, 795.

TABLE NO. 12.—*Statement showing the different monthly rates of pension and the number pensioned at each rate of the Army and Navy invalids, of the Army and Navy widows, minors, and dependents (war of 1861), on the rolls under the general law June 30, 1895, and a similar classification of those on the rolls at the same date under the act of June 27, 1890, and as survivors and widows of the wars of 1812 and with Mexico and the Indian wars.*

Rate.	Invalids.			Widows, etc.			Rate.	Invalids.			Widows, etc.		
	Army.	Navy.	Total.	Army.	Navy.	Total.		Army.	Navy.	Total.	Army.	Navy.	Total.
$2.00	4	.....	4	.....	.....	.....	$19.50	.....	3	3	.....	.....	.....
4.00	6	.....	6	.....	.....	.....	20.00	5,090	131	5,221	2,597	158	2,755
6.00	79,796	1,038	80,834	.....	.....	.....	20.25	1	.....	1	.....	.....	.....
6.25	26	2	28	.....	.....	.....	20.50	2	3	5	.....	.....	.....
6.37½	3	.....	3	.....	.....	.....	20.75	.....	2	2	.....	.....	.....
6.50	1	.....	1	.....	.....	.....	21.00	1	1	2	.....	.....	.....
6.75	1	.....	1	.....	.....	.....	21.25	3	.....	3	.....	.....	.....
7.00	65	2	67	.....	.....	.....	21.50	1	2	3	.....	.....	.....
7.33⅓	1	.....	1	.....	.....	.....	22.00	3,049	75	3,124	.....	.....	.....
7.50	362	8	370	.....	.....	.....	22.50	89	6	95	.....	.....	.....
7.75	13	1	14	.....	.....	.....	23.00	1	1	2	.....	.....	.....
8.00	58,697	756	59,453	702	20	722	23.25	3	.....	3	.....	.....	.....
8.12½	1	.....	1	.....	.....	.....	23.50	.....	3	3	.....	.....	.....
8.25	11	.....	11	.....	.....	.....	24.00	21,607	265	21,872	2	.....	2
8.33⅓	1	.....	1	.....	.....	.....	24.50	1	.....	1	.....	.....	.....
8.50	471	.....	471	.....	.....	.....	24.75	1	.....	1	.....	.....	.....
8.62½	1	.....	1	.....	.....	.....	25.00	2,864	83	2,947	732	124	856
8.75	3	.....	3	.....	.....	.....	25.50	1	.....	1	.....	.....	.....
9.00	435	.....	435	.....	.....	.....	25.75	.....	3	3	.....	.....	.....
9.25	11	.....	11	.....	.....	.....	26.00	.....	1	1	.....	.....	.....
9.50	12	5	17	.....	.....	.....	26.25	4	.....	4	.....	.....	.....
9.75	3	3	6	.....	.....	.....	26.75	1	1	2	.....	.....	.....
10.00	31,707	444	32,151	6	1	7	27.00	972	28	1,000	.....	.....	.....
10.20	1	.....	1	.....	.....	.....	27.50	8	.....	8	.....	.....	.....
10.25	7	1	8	.....	.....	.....	28.00	.....	1	1	.....	.....	.....
10.50	8	9	17	.....	.....	.....	28.50	.....	1	1	.....	.....	.....
10.62½	1	.....	1	.....	.....	.....	28.75	1	.....	1	.....	.....	.....
10.75	2	10	12	.....	.....	.....	29.00	.....	1	1	.....	.....	.....
11.00	65	7	72	.....	.....	.....	29.50	.....	1	1	.....	.....	.....
11.25	196	6	202	.....	.....	.....	30.00	15,543	244	15,787	702	211	913
11.32½	1	.....	1	.....	.....	.....	30.75	.....	2	2	.....	.....	.....
11.50	25	2	27	.....	.....	.....	31.00	.....	1	1	.....	.....	.....
11.75	9	3	12	.....	.....	.....	31.25	26	.....	26	.....	.....	.....
12.00	49,741	562	50,303	91,385	1,732	93,117	32.00	.....	4	4	1	.....	1
12.12½	1	.....	1	.....	.....	.....	32.50	.....	4	4	.....	.....	.....
12.25	15	.....	15	.....	.....	.....	33.00	1	2	3	.....	.....	.....
12.50	133	16	149	1	.....	1	33.50	.....	2	2	.....	.....	.....
12.75	316	1	317	.....	.....	.....	35.00	87	5	92	2	.....	2
13.00	546	5	551	.....	.....	.....	35.50	.....	1	1	.....	.....	.....
13.25	5	7	12	.....	.....	.....	36.00	2,916	39	2,955	.....	.....	.....
13.33⅓	4	.....	4	.....	.....	.....	36.50	.....	1	1	.....	.....	.....
13.50	25	3	28	.....	.....	.....	37.00	.....	2	2	.....	.....	.....
13.75	6	2	8	.....	.....	.....	37.50	.....	1	1	1	.....	1
14.00	21,371	207	21,578	3	.....	3	40.00	55	1	56	14	4	18
14.25	19	2	21	.....	.....	.....	40.25	.....	1	1	.....	.....	.....
14.50	6	4	10	.....	.....	.....	45.00	2,452	22	2,474	2	.....	2
14.75	4	.....	4	.....	.....	.....	46.00	.....	1	1	.....	.....	.....
15.00	2,749	87	2,836	1,461	118	1,579	48.00	1	.....	1	.....	.....	.....
15.25	1	1	2	.....	.....	.....	49.00	2	.....	2	.....	.....	.....
15.50	6	1	7	.....	.....	.....	50.00	672	12	684	67	53	120
15.75	.....	4	4	.....	.....	.....	51.50	.....	1	1	.....	.....	.....
16.00	16,388	167	16,555	1	.....	1	52.50	.....	1	1	.....	.....	.....
16.25	10	1	11	.....	.....	.....	53.00	1	.....	1	.....	.....	.....
16.50	14	4	18	.....	.....	.....	55.00	1	.....	1	.....	.....	.....
16.75	15	.....	15	.....	.....	.....	57.00	1	.....	1	.....	.....	.....
17.00	29,376	298	29,674	2,476	6	2,482	60.00	11	.....	11	.....	1	1
17.25	1	2	3	.....	.....	.....	72.00	2,797	89	2,886	.....	.....	.....
17.50	15	12	27	.....	.....	.....	75.00	.....	.....	.....	4	1	5
17.75	2	.....	2	.....	.....	.....	100.00	21	3	24	15	1	16
18.00	1,322	23	1,345	50	1	51	166.66⅔	.....	.....	.....	5	.....	5
18.25	.....	5	5	.....	.....	.....	208.33⅓	.....	.....	.....	1	.....	1
18.50	13	3	16	.....	.....	.....	416.66⅔	.....	.....	.....	2	.....	2
18.75	101	1	102	.....	.....	.....							
19.00	9	3	12	.....	.....	.....	Total	352,453	4,770	357,223	100,232	2,431	102,663
19.25	6	.....	6	.....	.....	.....							

TABLE NO. 12.—*Statement showing the different monthly rates of pension and the number pensioned at each rate of the Army and Navy invalids, etc.*—Continued.

ACT OF JUNE 27, 1890.

Rates.	Invalids.			Widows, etc.		
	Army.	Navy.	Total.	Army.	Navy.	Total.
$6.00	80,838	3,278	84,116			
7.00	4		4			
8.00	95,636	3,063	98,699	85,980	4,953	90,933
10.00	15,704	668	16,372		1	1
11.00	1		1			
12.00	172,935	5,984	178,919	9,715	150	9,865
17.00		1	1			
19.75		1	1			
20.00				1		1
27.00		1	1			
50.50		1	1			
Total	365,118	12,997	378,115	95,696	5,104	100,800

WAR OF 1812.

Rates.	Survivors.	Widows.	Total.
$8.00	18	2	20
12.00		3,816	3,816
15.00			
16.00		1	1
20.00	1	4	5
24.00			
25.00		3	3
30.00			
40.00			
50.00	2		2
72.00			
Total	21	3,826	3,847

WAR WITH MEXICO.

Rates.	Survivors.	Widows.	Total.
$8.00	8,009	7,862	15,871
12.00	4,526	2	4,528
15.00	3		3
16.00	2		2
20.00	21	2	23
24.00	2		2
25.00	12	1	13
30.00	6	1	7
40.00	1		1
50.00	1		1
72.00	3		3
Total	12,586	7,868	20,454

INDIAN WARS, 1832-1842.

Rates.	Survivors.	Widows.	Total.
$8.00	3,006	3,908	6,914
12.00	5	2	7
15.00		1	1
20.00	1		1
Total	3,012	3,911	6,923

NOTE.—The rates reported in this table at less than $6 per month have been allowed for periods prior to the passage of the act of March 2, 1895, which increased all such pensions to $6 per month.
In addition to the above there are also 499 persons pensioned as army nurses.

TABLE NO. 13.—*Statement showing the number of pensioners in each State and Territory of the United States and in each foreign country on the rolls June 30, 1895, and the amount paid for pensions during the fiscal year 1895 in each State and Territory and each foreign country.*

United States.	Number.	Amount.
Alabama	4,031	$500,877.12
Alaska	18	2,125.95
Arizona	569	83,423.04
Arkansas	10,364	1,361,368.15
California	14,844	2,092,969.03
Colorado	6,332	900,448.84
Connecticut	11,859	1,320,354.55
Delaware	2,730	415,391.06
District of Columbia	8,364	1,438,629.80
Florida	3,217	440,257.04
Georgia	3,708	453,569.98
Idaho	993	137,117.95
Illinois	68,678	9,927,647.62
Indiana	69,850	10,534,682.61
Indian Territory	2,478	339,395.26
Iowa	37,934	5,594,059.00
Kansas	42,827	6,045,107.47
Kentucky	28,905	4,224,472.55
Louisiana	4,453	584,068.48
Maine	20,468	3,087,085.72
Maryland	12,979	1,812,420.68
Massachusetts	38,602	5,674,224.66
Michigan	46,258	7,213,671.85
Minnesota	16,206	2,226,365.01
Mississippi	3,715	490,351.94
Missouri	53,959	7,834,776.95
Montana	1,232	160,113.30
Nebraska	17,261	2,550,726.12
Nevada	254	37,150.24
New Hampshire	9,272	1,382,143.27
New Jersey	20,133	2,541,349.75
New Mexico	1,243	176,140.05
New York	88,719	12,321,771.27
North Carolina	4,425	544,901.69
North Dakota	1,554	184,351.29
Ohio	105,160	15,558,567.70
Oklahoma	5,281	736,777.40
Oregon	4,573	652,106.18
Pennsylvania	90,493	12,469,416.91
Rhode Island	4,404	491,242.38
South Carolina	1,717	221,923.42
South Dakota	5,258	758,543.28
Tennessee	18,017	2,618,006.50
Texas	7,902	1,030,267.95
Utah	746	107,526.12
Vermont	9,910	1,535,179.87
Virginia	8,043	1,235,139.48
Washington	5,144	686,286.61
West Virginia	13,557	2,089,231.67
Wisconsin	27,738	4,109,562.66
Wyoming	676	90,605.17
Total in States and Territories	967,043	139,053,892.59

Foreign countries.	Number.	Amount.
Algiers	2	$510.00
Argentine Republic	2	360.00
Australia	28	5,754.12
Austria-Hungary	16	2,536.17
Bahama	1	168.00
Belgium	6	1,028.80
Bermuda	4	744.00
Brazil	2	369.87
British Columbia	27	3,369.13
Bulgaria	1	240.00
Canada	1,737	343,740.45
Central America	1	134.00
Chile	6	1,046.80
China	6	1,113.55
Comora Islands	1	.....
Costa Rica	3	636.00
Cuba	5	930.13
Denmark	12	1,902.00
East Indies	1	96.00
Ecuador	1	96.13
Egypt	1	32.00
Fiji Islands	1	96.00
France	59	12,124.50
Germany	573	117,751.02
Great Britain	664	136,452.56
Greece	1	150.93
Guatemala	2	186.00
Hawaii	15	1,826.93
Honduras	3	96.00
India	1	210.00
Italy	28	5,754.22
Japan	3	156.00
Korea	1	360.00
Liberia	2	.....
Madeira	3	805.80
Malta	2	288.00
Mauritius	1	96.00
Mexico	67	13,768.26
Netherlands	7	1,602.13
New Zealand	2	336.00
Nicaragua	3	438.13
Norway	32	6,576.17
Peru	4	659.20
Portugal	2	162.00
Republic of Colombia	3	210.00
Roumania	1	.....
Russia	2	288.00
St. Helena	1	288.00
Seychelles Islands	2	108.00
Siam	1	252.00
South African Republic	1	360.00
Spain	7	2,221.46
Sweden	36	7,398.02
Switzerland	72	14,796.33
Tahiti	1	96.00
Turkey	5	654.00
Uruguay	1	270.00
West Indies	9	3,708.40
Total in foreign countries	3,481	695,353.21
Grand total	970,524	139,749,245.80

TABLE NO. 14.—*Report of pension certificates issued in the fiscal year ended June 30, 1895.*

Months.	Original.																													
	General law.				Act of June 27, 1890.				War of 1812.		Indian wars.		Old wars.		Mexican war.								Under acts of—							
	Army invalids.	Army widows, etc.	Navy invalids.	Navy widows, etc.	Army invalids.	Army widows, etc.	Navy invalids.	Navy widows, etc.	Survivors.	Widows.	Survivors.	Widows.	Invalids.	Widows.	Survivors.	Widows.	Army nurses.	Total.	Increase.	Additional, etc., act of June 27, 1890.	Reissues.	Restoration and renewal.	August 4, 1886.	June 7, 1888.	March 1, 1889.	March 4, 1890.	July 4, 1892.	Supplemental.	Accrued.	Duplicates.	Total.
1894.																															
July	433	305	22	16	873	1,172	174	63	...	3	21	68	...	...	1	40	11	3,202	894	739	463	273	...	..	...	9	13	....	509	76	6,178
August	538	330	32	11	841	890	121	45	...	1	28	102	2	...	7	27	6	2,981	756	1,048	537	252	1	1	1	9	5	1	734	123	6,449
September	295	265	25	16	779	799	132	53	...	2	25	95	...	3	3	21	12	2,525	821	890	409	342	...	...	...	16	14	2	585	114	5,718
October	509	293	31	9	1,338	901	138	31	...	4	14	61	...	1	12	44	6	3,392	829	1,351	522	307	...	...	1	8	9	3	755	160	7,337
November	423	272	17	9	1,618	963	147	56	...	...	16	46	...	...	5	42	4	3,618	624	1,239	311	295	...	...	...	10	3	....	893	66	7,059
December	442	306	14	8	1,146	950	144	61	...	...	15	39	2	2	9	57	3	3,198	838	1,198	398	217	1	...	...	8	9	2	1,057	69	6,995
1895.																															
January	478	280	32	11	1,680	884	171	53	...	4	29	107	2	3	18	58	7	3,817	743	1,701	369	426	...	1	1	10	10	4	482	118	7,682
February	368	204	24	15	1,465	528	119	35	1	...	8	49	...	1	13	41	4	2,875	579	1,809	323	222	...	...	...	4	6	....	435	96	6,349
March	398	236	22	9	1,593	757	118	33	...	...	14	57	...	1	9	50	10	3,307	1,097	3,128	469	284	1	...	...	4	7	1	655	149	9,102
April	418	372	27	13	1,563	1,110	183	54	...	...	8	67	...	1	5	42	9	3,872	1,050	3,432	421	237	...	...	...	5	12	....	934	61	10,024
May	428	320	31	7	1,359	866	134	52	...	1	5	59	...	1	13	58	9	3,343	914	6,564	350	439	...	...	...	12	11	4	843	88	12,568
June	388	295	14	12	1,472	610	132	36	...	1	6	45	...	...	1	40	3	3,055	982	5,519	228	301	...	1	...	17	18	1	685	69	10,876
Total	5,118	3,478	291	136	15,727	10,430	1,713	572	1	16	189	795	6	13	96	520	84	39,185	10,127	28,618	4,800	3,595	3	3	3	112	117	18	8,567	1,189	96,337

Original issues: General law, 9,023; war of 1812, 17; Indian wars, 984; old wars, 19; Mexican war, 616; army nurses, 84; act of June 27, 1890, 28,442.

In "Additional, etc.," under the act of June 27, 1890, are included: Additionals, 4,190; increases, 2,786; reissues, 19,662; restorations, 259; renewals, 352; supplementals, 164; duplicates, 1,205.

TABLE NO. 15.—*Detailed report of work completed in the Army and Navy Survivors division from July 1, 1894, to June 30, 1895, inclusive, showing number of names, with post-office addresses furnished, and addition to service files, etc.*

	Total names.	Total cases.	Special names.
Eastern division	26,287	2,768	1,923
Middle division	33,071	3,199	1,682
Western division	37,025	3,405	1,961
Southern division	45,225	4,510	2,605
Old War and Navy division	15,921	2,841	3,521
Special Examination division	16,630	1,976	1,682
Miscellaneous calls	17,541	2,642	4,232
Total	191,700	21,341	17,606

Total number of names, with post-office addresses furnished in 21,341 cases	191,700
Addresses supplied to specified names	17,606
Circular lists of officers and comrades	2,642
Letters and circular letters	23,596
Addition to the files, service cards	255,893
Calls on War Department	300

There are now on file in this division 1,250,000 service cards, of which 900,000 show the present post-office address of the soldier; 300,000 are those of soldiers now deceased, and 50,000 are the duplicate cards of those who served in more than one organization.

TABLE NO. 16.—*Report of the Mail division for the fiscal year ended June 30, 1895.*

Received.	July.	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May.	June.	Total.
Original invalid cases *	399	392	350	480	355	420	472	410	568	612	498	515	5,466
Original widows' cases *	606	613	563	605	560	522	605	524	714	869	819	867	7,867
Original 1812 cases *	5	1	1	2	1	1	5	.....	4	6	1	1	28
Original bounty land cases *	16	20	19	22	12	16	13	10	19	19	17	21	204
Original Navy cases *	53	32	24	54	45	12	48	29	48	63	66	52	526
Original old war cases, Mexican, Indian, and nurses	165	196	154	174	129	126	148	119	158	223	168	152	1,912
Applications for increase	2,472	2,726	2,688	2,686	2,168	2,794	3,568	3,018	3,982	4,144	3,660	4,242	38,148
Communications from the Departments	2,600	2,409	2,412	2,422	2,034	2,062	2,242	1,620	2,293	2,165	2,200	2,214	26,673
Applications (act June 27, 1890)	5,234	5,908	4,329	5,551	4,878	5,535	6,787	5,410	7,483	7,736	6,420	6,673	71,944
Applications for accrued pension	556	679	570	678	632	540	718	625	842	893	809	625	8,167
Pieces of additional evidence	69,411	67,844	55,020	57,437	52,776	52,641	63,989	58,247	72,589	70,984	61,779	56,947	729,664
Fee agreements in duplicate	1,810	1,641	1,315	1,378	1,603	1,552	1,705	1,394	1,824	2,506	2,076	1,708	20,512
Applications for transfer	77	70	88	96	64	73	101	68	91	84	48	77	937
Applications for new certificate	181	230	186	213	206	159	214	189	181	242	221	202	2,426
Reports from Adjutant-General	11,305	12,553	11,656	14,184	17,061	12,491	13,289	10,476	11,741	13,119	13,542	12,128	153,545
Reports from Surgeon-General	3	7	2	.....	.....	.....	.....	.....	.....	4	.....	.....	16
Miscellaneous letters (not inquiries)	16,427	16,855	16,069	17,619	17,211	18,664	17,181	19,820	32,004	22,586	20,500	20,413	235,355
Pension certificates returned by pension agents	1,112	3,458	1,833	1,629	2,135	1,920	2,674	604	2,271	2,056	2,074	1,480	23,246
Surgeons' certificates	12,772	15,349	12,977	16,506	13,562	14,441	12,518	9,703	11,999	11,593	12,081	9,778	153,279
Orders for medical examination returned	11,547	12,781	12,666	15,438	12,121	12,958	12,394	10,652	12,018	11,566	11,178	11,842	147,161
Accounts from examining surgeons	9,048	9,057	8,817	9,735	8,814	9,270	8,883	6,502	9,049	10,210	9,345	7,374	106,104
Reports and cases from special examiners	3,546	3,476	3,139	3,621	3,172	3,459	3,386	3,661	4,083	4,473	4,409	4,238	44,663
Reports from pension agents	165	135	126	146	127	131	130	121	105	132	108	123	1,549
Daily reports of special examiners	9,187	9,316	8,533	9,248	8,388	8,312	8,593	9,541	11,769	10,980	11,732	7,658	113,257
Credibility of witness circulars	9,249	11,304	9,481	12,544	12,055	11,625	14,547	13,404	12,883	13,718	13,253	8,226	142,289
Number of dead letters returned by Post-Office Department	2,619	2,596	2,553	3,118	3,299	2,814	3,047	2,553	3,131	3,115	4,346	3,576	36,767
Army and Navy survivors' cards	338	356	951	1,918	632	1,175	646	715	816	2,505	2,789	1,323	14,164
Congressional communications	8,119	9,401	5,981	5,217	3,885	9,222	10,072	9,288	5,493	4,184	3,853	3,711	80,426
Letters of inquiry	39,858	34,138	44,403	54,432	43,925	44,178	53,667	48,672	48,845	58,272	44,522	50,727	560,639
Money received in mail	$2,154.47	$2,903.64	$535.40	$1,208.37	$636.43	$1,053.59	$914.54	$841.00	$826.50	$1,312.40	$1,781.22	$1,417.45	$15,585.01
Postage stamps received in mail	316	275	255	350	299	295	336	244	324	328	227	268	3,515
MISCELLANEOUS.													
Number of foreign letters sent (postage prepaid)	219	154	155	169	144	193	131	94	105	199	190	194	1,947
Total number of pieces received for the year	218,880	223,543	207,906	237,153	208,736	217,113	241,945	214,478	252,007	259,059	232,514	216,893	2,730,227
Total number of letters sent out for the year, and cards	160,250	160,171	147,163	185,619	159,314	161,863	193,931	120,116	147,176	191,431	170,957	175,846	1,973,837
Calls on Adjutant-General sent (not included in letters sent)	11,034	12,087	11,063	14,018	13,755	11,837	13,536	48,164	9,175	13,062	13,911	12,711	184,953
Blanks (not included in letters sent)	445	549	798	735	356	808	867	699	1,829	778	661	736	9,281

* This includes duplicates.

No. 17.—*Operations of the special examination service of the Bureau, showing the investigations made, etc., during the fiscal year ended June 30, 1895.*

	1894.		1895.	
	Number of investigations made.	Expenses.	Number of investigations made.	Expenses.
Cases returned by special examiners in the field	32,932		40,522	
Expenses of special examiners, subsistence		$254,392.40		$316,820.40
Expenses of special examiners, travel, etc. (including cost of travel over subsidized railroads)		128,876.24		165,984.11
Total	32,932	383,268.64	40,522	482,804.51

Cases in division on July 1, 1894	20,663
Cases received from July 1, 1894, to June 30, 1895	18,044
Total number cases in division, fiscal year 1895	38,707
Total number cases completed, fiscal year 1895	20,038
Cases pending special examination July 1, 1895	18,669
Number of reports submitted during fiscal year ended June 30, 1895	40,522
Average number of reports per examiner	139
Number of depositions taken during the fiscal year ended June 30, 1895	214,336
Average number of depositions per examiner	737
Number of credibility inquiries pending July 1, 1894	5,408
Credibility inquiries received and sent to special examiners from July 1, 1894, to June 30, 1895	37,642
Credibility inquiries in division, fiscal year	43,050
Credibility inquiries reported by special examiners during fiscal year ended June 30, 1895	31,198
Credibility inquiries pending July 1, 1895	11,852
Number of complaint letters sent to special examiners for preliminary inquiry during fiscal year ended June 30, 1895	1,404
Number of complaints investigated by special examiners and reported by letter and with testimony during the fiscal year ended June 30, 1895	1,153
Number of special examiners in field June 30, 1895	354
Average number of special examiners employed in field duty during the fiscal year ended June 30, 1895	291
Total cost of the special examination service (exclusive of salaries) for the fiscal year ended June 30, 1895	$482,804.51
Average cost per report	$11.91
Average cost per deposition	$2.25
Average number of reports in each completed case	2.52+
Average cost of each completed case	$28.87+
Amount of money recovered by special examiners on illegal payments to pensioners and others during the fiscal year ended June 30, 1895	$9,255.32
Amount represented by first payment on claims rejected after special examination by direction of the law division	323,733.35
Amount represented by first payment on prima facie claims rejected after special examination during fiscal year ended June 30, 1895	6,033,402.94
Total savings	6,366,391.61
Number letters written to special examiners	9,641
Number miscellaneous letters written	765
Number of letters written to Members of Congress	5,906

Statement showing the work accomplished by the review section during the fiscal year ended June 30, 1895.

Average number of reviewers employed	9
Total number of days employed	3,263
Number of cases referred for admission	1,716
Number of cases referred for rejection	929
Number of cases referred for further examination	26,682
Number of cases otherwise disposed of	1,196
Total number of cases reviewed	30,523
Average number of cases reviewed per reviewer	3,391
Number of letters written to special examiners	1,626
Number of circular letters sent to special examiners	3,220

Statement of file section, showing where cases were referred from division during fiscal year ended June 30, 1895, and the number referred.

Board of Review	12,440
Law division	6,413
Western division	408
Eastern division	124
Middle division	82
Southern division	173
Old War and Navy division	44
Medical division	28
Board of revision	16
Finance division	28
Certificate division	22
Record division	3
Admitted files	225
Commissioner's room	11
First Deputy's room	12
Second Deputy's room	8
War Department	1
Total	20,038

Number of merit claims submitted to Board of Review in which final action has been taken.

ADMITTED.		
Original invalid	1,086	
Invalid increase	1,148	
Original widows	1,891	
Original minors	135	
Original mothers	145	
Original fathers	46	
Old war invalid	4	
Mexican survivors	3	
Army nurses	4	
		4,462
CONTINUED.		
Invalid	90	
Widows	38	
Minor	1	
Mothers	11	
Fathers	9	
		149
RESTORED.		
Invalids	3	
Widows	3	
		6
Total		4,617

Number of merit claims submitted to Board of Review in which final action has been taken—Continued.

REJECTED.

Original invalid:		
Disability not due to service	1,197	
Soldiers dead	35	
Desertion	10	
No ratable disability	213	
Disability due to vicious habits	35	
Not honorably discharged	3	
No final discharge	1	
Declaration invalid	6	
Less than ninety days' service	3	
Identity not shown	9	
No military service	6	
Claimants on retired list	2	
Disloyalty	1	
No record of service (old war)	3	
Not disabled (old war)	1	
		1,525
Invalid increase:		
Disability not due to service	1,308	
Soldiers dead	18	
Disability due to vicious habits	3	
No ratable disability	148	
Desertion	4	
		1,481
Original widows:		
Soldier's death not due to service	1,526	
Claimant dead	89	
Soldier living	32	
Not dependent	255	
Not legal widow	339	
Violation of act of August 7, 1882	69	
Soldier deserted	8	
Husband not in military service	9	
Soldier's identity not shown	12	
Claimant remarried	7	
No pensionable period	2	
Soldier's service less than ninety days	2	
Declaration invalid	5	
Disloyalty of soldier	5	
Soldier not finally discharged	2	
Soldier not honorably discharged	1	
No benefit (pensioned under other laws)	1	
		2,364
Original minors:		
No pensionable period	92	
Soldier's death not due to service	227	
Claimants illegitimate	43	
Soldier deserted	1	
Widow living	1	
Soldier living	2	
Father not in military service	1	
Claimant dead	2	
No benefit	1	
		370
Original mothers:		
Not dependent	93	
Soldier's death not due to service	104	
Claimant dead	40	
Identity of soldier not shown	1	
Claimant not soldier's mother	6	
Soldier left a widow	4	
Son not in military service	1	
		249

Number of merit claims submitted to Board of Review in which final action has been taken—Continued.

REJECTED—continued.

Original fathers:		
Not dependent	70	
Soldier's death not due to service	20	
Claimant dead	8	
Identity of soldier not shown	1	
Claimant not soldier's father	8	
Soldier left a widow	2	
		109
Original brothers and sisters:		
Not dependent		2
Army nurses:		
Not dependent	1	
No service	1	
		2
Total		6,102

DROPPED.

Invalid:		
Cessation of disability	44	
Not in service for which pensioned	1	
Disloyalty	4	
Disability not due to service	18	
Not the soldier (false impersonation)	1	
Not in military service	2	
		70
Widows:		
Violation of act of August 7, 1882	149	
Not the legal widow	19	
Remarriage	3	
Not dependent	25	
Soldier living	2	
Soldier's death not due to service	6	
		204
Minors:		
Cause not stated		1
Mothers:		
Not dependent	17	
Pensioner dead	1	
Remarriage	1	
Soldier's widow living	2	
		21
Fathers:		
Not dependent	9	
Soldier deserted	1	
Soldier's death not due to service	1	
		11
Total		307

REDUCED.

Invalid	22

Number of merit cases submitted to Board of Review for final action and awaiting report as to action taken.

ADMISSION.

Original invalid	91	
Increase invalid	69	
Original widows	95	
Original minors	17	
Original mothers	6	
Original fathers	4	
		282

Number of merit cases submitted to Board of Review for final action and awaiting report as to action taken—Continued.

REJECTION.

Original invalid	55	
Increase invalid	96	
Original widows	53	
Original minors	12	
Original mothers	3	
Original fathers	3	
Original brothers and sisters	1	
		223

CONSIDERATION.

Original invalid	19	
Increase invalid	121	
Original widows	39	
Original minors	5	
Original mothers	1	
		185

DROPPING.

Invalid	12	
Widows	5	
		17

REDUCTION.

Invalid		9

STATEMENT SHOWING THE CHARACTER AND NUMBER OF CLAIMS INVESTIGATED BY DIRECTION OF THE LAW DIVISION, AND THE NATURE OF THE INVESTIGATION MADE THEREIN.

Validity of papers:		
Original invalid	757	
Increase invalid	763	
Original widows	296	
Original minors	51	
Original mothers	19	
Original fathers	19	
Old war claims	5	
Bounty land claims	4	
		1,914
Validity of papers and merits:		
Original invalid	120	
Increase invalid	233	
Original widows	94	
Original minors	9	
Original mothers	4	
Original fathers	1	
		461
Validity of papers and identity:		
Original invalid	2	
Original minors	6	
Original mothers	1	
Original fathers	1	
		10
Validity of papers and forgery:		
Original invalid	15	
Original mothers	2	
		17
Validity of fee agreements:		
Increase invalid	9	
Original widows	5	
		14
Merits of claim:		
Original invalid	55	
Increase invalid	95	
Original widows	79	
Original minors	17	
Original mothers	13	
Original fathers	12	
Old war claims	4	
		275

Statement showing the character and number of claims investigated by direction of the law division, etc.—Continued.

Impersonation of soldier:		
Original invalid	10	
Increase invalid	5	
Old war claims	1	
		16
Identity of soldier and fact of service:		
Original invalid	19	
Increase invalid	46	
Original widows	9	
		74
Disloyalty:		
Original invalid		1
Filing false claim:		
Increase invalid	8	
Original widows	10	
Original minors	1	
Original mothers	1	
Old war claims	1	
		21
Fraud in procuring evidence:		
Original invalid	25	
Original minors	2	
		27
Fraudulent execution of papers:		
Increase invalid	39	
Original widows	15	
Original mothers	7	
Old war claims	1	
		62
Procuring proof of soldier's death:		
Original invalid		1
Vicious habits:		
Original invalid		2
Identity and if ever pensioned:		
Original invalid		2
Legal widowhood:		
Original widows		80
Legal widowhood and merits:		
Original widows		57
Legal widowhood and soldier's identity:		
Original widows		7
Remarriage:		
Original widows	7	
Original mothers	1	
		8
Violation of act of August 7, 1882:		
Widows		22
Illegal fees:		
Original invalid	6	
Increase invalid	49	
Original widows	36	
Original minors	1	
Original mothers	7	
Old war claims	1	
		100
Investigation of attorneys:		
Original invalid	37	
Increase invalid	89	
Original widows	33	
Original minors	13	
Original mothers	2	
Original fathers	3	
		177
If legal mother:		
Original mothers		8
If paid two pensions:		
Minors		2

Statement showing the character and number of claims investigated by direction of the law division, etc.—Continued.

Appointment of guardian:		
Invalids	5	
Widows	1	
Mothers	1	
		7
Investigation of guardian:		
Invalids	27	
Widows	7	
Minors	19	
Old war claims	2	
		55
Retention of pensioners' money:		
Invalids	30	
Widows	15	
Minors	2	
Mothers	3	
Fathers	1	
		51
Recovery of pension money wrongfully paid:		
Invalids ($14,340.06)	15	
Widows ($16,104.68)	35	
Minors ($449.17)	3	
Mothers ($1,533)	2	
Fathers	2	
		57
Retention of pension certificate:		
Invalids	15	
Widows	4	
Mothers	1	
		20
Perjury:		
Increase invalid	2	
Original widows	5	
		7
Forgery:		
Original invalid	11	
Increase invalid	17	
Original widows	7	
Original minors	4	
Original mothers	1	
Original fathers	2	
		42
Conspiracy:		
Original invalid		1
Impersonating a Government officer:		
Original invalid	1	
Increase invalid	1	
		2
Government officer prosecuting claim:		
Increase invalid		1
Investigation of board of examining surgeons:		
Original invalid	1	
Increase invalid	9	
		10
Investigation of notaries public:		
Original invalid		1
Papers delivered to United States attorneys and returned:		
Original invalid	1	
Increase invalid	7	
Original widows	2	
		10
Total		3,622
Number of cases enumerated below in which final action has been reported		646
Total		4,268

Statement of number of cases investigated by direction of the Law division in which final action on merit has been reported.

ADMISSION.

Original invalid	71	
Increase invalid	20	
Original widows	88	
Original minors	7	
Original mothers	5	
Bounty land	2	
Mexican war invalid	1	
		194

Purpose for which the cases admitted were investigated.

Validity of papers:		
Original invalid	55	
Increase invalid	12	
Original widows	61	
Original minors	3	
Original mothers	2	
		133
Validity of papers and merits of claim:		
Original invalid	11	
Increase invalid	2	
Original widows	6	
Original minors	1	
		20
To determine merits of claim:		
Original invalid	3	
Increase invalid	4	
Original widows	4	
Original mothers	1	
		12
Legitimacy of children:		
Original widows	1	
Original minors	1	
		2
Whether widow has custody of child:		
Original widows		1
Legal widowhood:		
Original widows		12
Identity of claimant:		
Original invalid	1	
Original widows	1	
Original minors	1	
		3
Bounty land		2
Illegal acts of attorneys and merits of claim:		
Original widows		1
To determine rights of other minors:		
Original minors		1
Forgery and merits of claim:		
Original invalid	1	
Increase invalid	2	
		3
Identity of soldier:		
Original mothers		1
Fraud:		
Original widows		1
Appointment of guardian and merits:		
Original mothers		1
Was soldier paid pension:		
Mexican war invalid		1
Total		194

Purpose for which the cases admitted were investigated—Continued.

REJECTED.

Original invalid	151	
Increase invalid	89	
Original widows	152	
Original minors	25	
Original mothers	11	
Original fathers	11	
Original sisters	11	
		450

Purpose for which the cases rejected were investigated.

Validity of papers:		
Original invalid	115	
Increase invalid	70	
Original widows	81	
Original minors	17	
Original mothers	8	
Original fathers	6	
Original sisters	11	
		308
To determine merits of claim:		
Original invalid	23	
Increase invalid	10	
Original widows	25	
Original minors	3	
Original mothers	2	
Original fathers	4	
		67
Legal widowhood:		
Original widows		28
Identity of the soldier or claimant:		
Original invalid	5	
Increase invalid	2	
Original widows	10	
Original minors	1	
		18
Illegal acts of attorneys:		
Original invalid	5	
Increase invalid	7	
Original widows	6	
Original minors	4	
Original fathers	1	
		23
Bounty land		1
Fraud on pensioner:		
Original widows		1
Criminal prosecution:		
Original invalid		2
Remarriage:		
Original mothers		1
Dependence:		
Original widows		1
Total		450

Statement showing the number of arrests, indictments, and convictions for violation of pension laws during the fiscal year ended June 30, 1895, reported by special examiners.

ARRESTS.

Forgery	21	
Personating Government officer	14	
Perjury	31	
Making false affidavits	6	
Personating soldier	3	
Conspiracy	9	
Making false claims	14	
Collecting illegal fee	12	
Bribery	1	
Making false certificate	2	
Government officer prosecuting claims	2	
Postdating pension vouchers	1	
		116

Statement showing the number of arrests, indictments, and convictions for violation of pension laws during the fiscal year ending June 30, 1895, etc.—Continued.

INDICTMENTS.

Making false certificates	9	
Making false affidavits	35	
Perjury	46	
Personating soldier	19	
Conspiracy	11	
Executing false pension vouchers	1	
Collecting illegal fee	23	
Withholding pension money	3	
Loaning money on pension certificate	1	
Government officer prosecuting claims	5	
Personating Government officer	14	
Forgery	52	
Presenting fraudulent claims	29	
Subornation of perjury	4	
Embezzlement	5	
		257

CONVICTIONS.

Perjury	55	
Conspiracy	17	
Presenting false pension claims	35	
Personating Government officer	7	
Forgery of pension checks	20	
Forgery	39	
Making false certificates	3	
Government officer prosecuting pension claims	1	
Subornation of perjury	1	
Withholding pension certificates	4	
Loaning on pension certificates	1	
Making false affidavits	14	
Bribery	1	
Collecting illegal fees	21	
Withholding pension money	1	
Personating soldier or claimant	9	
Causes not stated	6	
		235

NOL. PROS.

Personating Government officer	2	
Perjury	2	
Conspiracy	1	
Collecting illegal fee	4	
		9

TABLE NO. 18.—*Names of surviving widows of Revolutionary soldiers on the pension rolls June 30, 1895, with their ages and places of residence at that date.*

Name.	Age.	Name of soldier.	Service.	Town.	State.
Aldrich, Lovey	95	Aldrich, Caleb	New Hampshire and Rhode Island.	Los Angeles	California.
Cloud, Nancy	82	Cloud, William	Virginia	Chum	Virginia.
Chadwick, Susannah*	80	Chadwick, Elihu	New York	Emporium	Pennsylvania.
Damon, Esther S	81	Damon, Noah	Massachusetts	Plymouth Union	Vermont.
Hurlburt Sarah C*	77	Weeks, Elijah	do	Chatham Valley	Pennsylvania.
Jones, Nancy	81	Darling, James	North Carolina	Jonesboro	Tennessee.
Mayo, Rebecca	82	Mayo, Stephen	Virginia	Newbern	Virginia.
Richardson, Patty	94	Richardson, Godfrey.	New York	East Bethel	Vermont.
Snead, Mary	79	Snead, Bowdoin	Virginia	Parksley	Virginia.
Slaughter, Ann M.*	85	Slaughter, Philip	do	Mitchells Station	Do.
Turner, Asenath	90	Durham, Samuel	Connecticut	Manchester	New York.
Weathermar, Nancy	85	Glascock, Robert	Virginia	Lineback	Tennessee.

* Daughters pensioned by special acts.

: No. 19.—*Names of twenty-one surviving soldiers and sailors of the war of 1812 on the pension rolls June 30, 1895, with their ages and residences at that date.*

Name	Age.	Service (troops).	Town.	State.
Hosea	103	New York	Grants Pass	Oregon.
n, Joseph	93	United States	Milsaps	Texas.
Hiram	95	New York	North Western	New York.
arrot	99	Tennessee	Pine Wood	Tennessee.
m, Andrew	102	Ohio	Burlington	Kansas.
on Jared	98	United States	Decorah	Iowa.
Elijah	99	Maryland	Newark	New Jersey.
, James	92	U. S. (Navy)	Baltimore	Maryland.
eorge W	92	United States	Dubuque	Iowa.
Abraham	94	New York	Brier Hill	New York.
son, John	89	United States	Baltimore	Maryland.
Laman	99	Louisiana	Thibodeaux	Louisiana.
Frederick C	100	New York	Hurley	New York.
Henry	95	do	Port Chester	Do.
illiam C	92	Connecticut	Stonington	Connecticut.
leazor	99	New Hampshire	Alexandria	New Hampshire.
dward	98	Massachusetts	North Dixmont	Maine.
nt, Thomas M	95	New York	Madison	New Jersey.
saiah B	90	do	Sparta	Michigan.
Jacob	97	United States	Millington	Do.
William R	94	do	Daphne	Alabama.

DEPARTMENT OF THE INTERIOR,
Washington, November 1, 1895.

SIR: I have the honor to submit my report of the work of the Board of Pension Appeals, under my direction and supervision, covering the fiscal year ended June 30, 1895.

POLICY OF THE DEPARTMENT IN PENSION RULINGS.

The issue on the 3d of August last, of the seventh volume of Pension Decisions, which contains the published decisions of the Department in pension and bounty-land claims from the date I took charge of the business of this office down to the 1st of July of this year, renders it unnecessary in this report to attempt any exhaustive review of the rulings that have been made during the said time, but it would seem proper now to state that this volume contains the decisions wherein the policy that has governed the adjudication of pension claims during your administration of this Department is fully set forth.

It is believed that these rulings respond to the liberal spirit in which the pension laws have been enacted; that the law and that alone has indicated the line of action which should guide the Department; that technicalities have been brushed aside and cases ruled upon their merits; that the rights of the helpless and dependent have been protected, and the largest liberality shown to those who have endured actual suffering and loss from a service to their country. These rulings may be briefly summarized under the following headings:

ACT OF JUNE 27, 1890.

This law was held to be a part of the general pension legislation. This construction led in many cases to material benefits to worthy claimants. It permitted the widow or minor of the soldier to prosecute for their own benefit the claim he left pending at the date of his death (vol. 7, P. D., p. 229); it allowed its construction in connection with the general law in cases governing pension to dependent relatives, and held said act as substituting present dependence for dependence at date of soldier's death (p. 190); it insured the payment of the $2 increase to a widow on account of stepchildren who were minors; it provided for the proper amendment of declarations and for the acceptance of those declarations wherein the soldier had alleged disabilities *which might easily* be mistaken for those actually found to exist (pp.

12 and 299); it defined a proper basis of pensionable title and led to uniform consistency in the adjudication of all claims under this law (p. 1); it held pensions subject to the forfeiture provided by the act of August 7, 1882, involving adulterous cohabitation, thereby creating a bar as under the general law (p. 205); it extended the prohibition of payments as under the general law to those soldiers who voluntarily aided or abetted the rebellion (pp. 312, 317), and precluded pension to those incurring disabilities while actively engaged in aiding the rebellion; it made definite the date of commencement of payment under this act (p. 12); it provided for the pensioning of a widow whose husband had served ninety days, had been honorably discharged, and had again enlisted in the service and died therein. All such claims were previously disallowed (p. 197.)

The act of March 2, 1895, amended section 4718 Revised Statutes, and provided for an equitable adjustment and payment of all the accrued pension to persons who had been held not entitled to the benefits of the former law (p. 556). Even prior to the enactment of this law the act of June 27, 1890, was made applicable to the provisions of section 4718, thereby authorizing the widow or minor of a deceased soldier to prosecute his pending claim, and prior decisions to the contrary were overruled (p. 229). The date for commencement of increase of pension under this law was fixed in compliance with the provision governing cases cited under the general law (p. 12). A definite age was fixed upon, which would determine of itself title to pension under the act of June 27, 1890, by reason of senility. On page 457 provision was made for the amendment of an original declaration filed under this law. Remarriage of a mother prior to said act is held no bar to pension thereunder, (p. 550).

Aid and Attendance.

So far as possible definite and reasonable conditions were affixed under which the rates of $50 and $72 should be granted (pp. 113, 142, 228, 583), and in numerous cases those rates were allowed.

Amputation.

Fixed limits were defined whereby title under the act of August 4, 1886, would be absolutely ascertainable in all cases of amputation at the elbow or at the knee (pp. 200 and 417). These opinions avoided a technical and embraced a broad and reasonable definition whereby justice was done in cases of this kind. A former technical construction of this law excluded many of these cases. Amputations at or above the middle of the arm, leg, or thigh were construed to be so near the joint as to prevent the use of an artificial limb, insuring increase to $45 per month in such cases (p. 224.)

ARMY NURSES.

Act of August 5, 1892: Former decisions were narrow and circumscribed. They embraced those only who were employed in nursing the sick and wounded. The effect of the act was extended to those who, as in all hospitals of the present day, superintended or prepared a diet for the sick and wounded (p. 8).

ATTORNEYS.

An adjustment of wide scope, regulating the relation of attorney and client, has been made, insuring justice and efficiency (pp. 62, 69, 87, 156, 293, 373, 358, 429, 431, 531).

DEATH, PRESUMPTION OF.

The rule of the Supreme Court of the United States is followed in cases involving presumption of death (97 U. S., p. 628). And where a party claims title through one alleged to be dead, it must be shown that the facts attending the absence established the death of the person beyond a reasonable doubt and independent of absence for any period of time (Vol. 7, p. 462.)

DECLARATIONS—PRACTICE.

An urgent necessity was found for liberalizing the rules governing the filing of declarations. It was held that minors may file declarations and prosecute claims in person, by guardian, or next friend, thereby saving arrears and setting aside the previous technical practice to the contrary (p. 478), and that claims for insane persons may be filed and prosecuted by any competent person, as of next friend, guardians being appointed to receive the amount due upon certificate (p. 582). Explanatory or amendatory affidavits, explanations of mistakes in the original, were, under certain conditions, made acceptable as proper amendments of the original declaration (pp. 91, 299, 325, 457).

DEPENDENCE.

A mother's dependence should not be influenced by the fact that the soldier, her son, did not contribute to her maintenance because physically unable (p. 459). Reaffirmed on page 507, where the necessities of the mother were held not dependent upon the ability of the son to furnish support, and former decisions to the contrary were overruled. Where, however, the mother was living as a mistress, supported by her paramour, dependence is not assumed (p. 474). Causes of exclusion under the law were those where the person claiming title was possessed of a comfortable support (p. 294). Title is dependent upon an income sufficient for support (p. 413).

EVIDENCE.

Long delay in filing a claim for new disability is held not conclusive, as formerly, but testimony in support of such a claim must be direct and positive (p. 36). The statements of a soldier made immediately after an accident which caused death were made admissible in his widow's claim (p. 160). It is permissible to show that a decree of divorce was procured by fraud or collusion (p. 494). The rights of minors, through guardians, who may have been in default are maintained (pp. 324, 478).

INDIAN WARS.

Liberality as to proving period of service in these wars is conceded. It covers the date from which a soldier arrived at the place of rendezvous and his return to the same (p. 173). Where the Government has failed to keep a record of enlistment, service, or discharge, soldier will be permitted to establish these facts by the best obtainable evidence (p. 327).

INSANE PERSONS.

The former ruling that pension to insane or helpless minors ceased when they reached their sixteenth year is vacated. Such pensions are now held to be renewable from the date of application therefor (pp. 163, 167). The extent of incompetency, leading to continuance of pension, is defined on page 405.

LIMITATION.

Where title had accrued by reason of minority at the date of the father's death, claims for pension are excepted from all limitations and are not forfeited by neglect to apply during minority (p. 432). This ruling resulted in the allowance of a large number of pending minors' claims.

LINE OF DUTY.

The rule announced by the Attorney-General in 1855 is now followed, and a soldier is held to be in line of duty when he is engaged in those duties which the law and the regulations require of him as a military duty (pp. 335, 376, 398).

MARRIAGE.

The usual means of proving marriage are available. Under section 4705, Revised Statutes, marriage of colored and Indian soldiers may be proved under common-law rules. This liberal rule is not always available for the widows of white soldiers, inasmuch as they must prove marriage under the laws of the State of which they were residents. Congressional legislation to remedy this injustice has been heretofore recommended. The decisions on marriage are dependent on the laws of the various States (pp. 31, 80).

MILITIA.

Unless called into the service of the United States by the President, the militia can not be considered as having been incorporated into the United States Army (pp. 74, 561).

MINORS.

Where a widow has forfeited her title to pension by adulterous cohabitation, minor children of soldier take title as if the widow's right had terminated by death or remarriage (p. 437). Where the minor is insane or helpless, the $2 increase is continued during the insanity or helplessness of the child (p. 167); the entire pension is continued to the insane or helpless minor so long as this disability exists (p. 163). The $2 increase will be paid to the widow where the stepchildren are being maintained in whole or in part by any educational institution, or any institution organized for care of soldiers' orphans, overruling former decisions to the contrary (p. 239).

RATES OF PENSION.

Where there has been a mistake in law or a manifest error in a former adjustment of rates, the Department will do exact justice and readjust the rates in spite of the long-standing error (p. 249). The same action will be taken where, upon filing new evidence, it is clearly shown there has been an illegal or unwarranted reduction (p. 265).

SPECIAL EXAMINATION.

In proper cases special and medical examinations will be held to determine the degree of disability, the incurrence of disability in service, the cause of death, the celebration of marriage, the period of service, the fact of dependence, the cause of discharge, and the existence of fraud (pp. 459, 491, 512).

VICIOUS HABITS.

Where there is nothing to indicate that the disability was caused by vicious habits, claimant's affidavit, setting forth the circumstances, together with the testimony of witnesses, will be accepted. If these show that claimant prior to and after the incurrence of disability was a man of good habits, vicious habits in application under act of June 27, 1890, will not be presumed (p. 578).

THE WORK PERFORMED.

During the period covered by this report, the business of this office has steadily progressed upon the lines indicated in my previous reports, and appeals from the action of the Pension Bureau in pension, fee, and bounty-land claims, and motions for reconsideration of departmental

decisions have been heard and decided at an average rate of about 500 a month. The current work has been disposed of without delay—no accumulation of arrears has been permitted—and the small nominal balance of undisposed of appeals appearing on the docket at the date of my last report has been still further reduced.

It can be said with truth that during the past year the work of the Board has been kept up to date, nearly all appeals filed during that time having been finally disposed of within thirty days, while but few have been subjected to the vexatious delays which characterized this portion of the public business in former years.

The character and amount of work performed will fully appear by reference to the tabulated statement hereto appended. From this the following brief summary may be noted:

Original appeals pending July 1, 1894	1,572	
Fee appeals pending July 1, 1894	85	
Motions for reconsideration pending July 1, 1894	4	
		1,661
Original appeals filed from July 1, 1894, to June 30, 1895	4,282	
Fee appeals filed from July 1, 1894, to June 30, 1895	747	
Motions for reconsideration filed from July 1, 1894, to June 30, 1895	198	
		5,227
Total pending and filed during fiscal year ended June 30, 1895		6,888
Original appeals pending July 1, 1895	243	
Fee appeals pending July 1, 1895	61	
Motions for reconsideration pending July 1, 1895	8	
		312
Total appeals and motions for reconsideration disposed of during the year		6,576

From this statement it will appear that this office has been able to exceed its record of the previous fiscal year to the extent of 269 cases, the total for the fiscal year ended June 30, 1894, being 6,307, that number being more than double the cases disposed of during the same period in previous years.

The total showing from April 15, 1893, when I took charge of this branch of the business of your office, is as follows:

Number of cases on the docket April 15, 1893	4,965	
Number of cases filed from April 15, 1893, to June 30, 1895	11,074	
		16,039
Total pending June 30, 1895		312
Total disposed of to June 30, 1895		15,727
Total disposed of since July 1, 1895		1,212
Total		16,939

being nearly double the number ever disposed of in a like period. That the work of the past year has been performed with due care will appear when it is noted that but 202 motions for reconsideration

were filed in the 6,382 original and fee appeals determined, and on reexamination but 12 were sustained.

Of the 5,611 original appeals disposed of, 1,208 were reversals of the action of the Pension Office, the remainder being dismissed or affirmed. Of the 771 fee appeals decided, 24 were reversals and the remainder were dismissed or affirmed.

IMPORTANT RULINGS.

In my last report I gave an extended and exhaustive review of the important rulings that had been made in cases coming before me on appeal since my incumbency of the office of Assistant Secretary, with reference to the published decisions in which said rulings had been made. I therein set forth at length:

All decisions in which erroneous practices in the adjudication of claims by the Pension Bureau had been corrected.

All rulings by which former illegal departmental decisions had been modified or overruled.

All decisions by which a more generous and liberal construction of the pension laws had been announced.

I also called attention in said report to the fact that a line of decisions had been rendered in cases involving the recognition and fees of attorneys in pension cases that had established a definite, consistent, and intelligible practice in the adjustment of such questions in the Pension Bureau, and had very greatly tended to correct the confusion, uncertainty, and errors which had formerly marked their adjudication.

This has been followed by a practice inaugurated in the Pension Bureau by which the rights of attorneys to recognition and to represent claimants in the prosecution of pension claims have been adjusted and settled in advance of the final adjudication of such claims upon their merits, thus avoiding much useless and vexatious delay and uncertainty and materially reducing the number of appeals to this Department on that ground.

Since the date of said report the following decisions of importance have been rendered:

In Bryant's appeal (7 P. D., 299), the proper and necessary allegations required by the law in a declaration for pension under the second section of the act of June 27, 1890, concerning which there had previously been much confusion in practice and contrariety of opinion, were pointed out. While holding that the law requires the causes producing the pensionable disability to be specifically alleged in the declaration, it was at the same time held that if the alleged causes were not found existing at the date of filing the declaration, but other causes were found which were of kindred nature, pathologically connected with or easily mistaken for those actually alleged, and that said causes produced a pensionable condition on said date, the declaration would be held good and sufficient to fix the commencement of pension from the date of its filing.

In the appeal of minors of Baugher (7 P. D., 433) the ruling was announced that the exception contained in the proviso to the second section of the act of March 3, 1879, which declares that the limitation therein contained "shall not apply to claims by or in behalf of * * * children under sixteen years of age," is descriptive of a class of claims wherein title has accrued by reason of minority at the date of the father's death, and does not limit the pensionable period and age during which said minors must apply. Such claims are excepted from all limitation and are not forfeited by neglect to apply during the period of pensionable minority.

In Wood's appeal (7 P. D., 336) it was held that where the father and mother of the soldier are without property and the father is unable to support the family, the mother is dependent within the meaning of the law.

In Fleck's appeal (7 P. D., 343) the three classes of discharges from the military service recognized by the War Department are defined, viz, honorable, dishonorable, and discharges without honor, and it was held that a discharge of the third class does not comply with the requirements of the third section of act of June 27, 1890.

In Palmer's appeal (7 P. D., 363) it was held that where one of the parties to an alleged marriage dies in ignorance of the existence of a legal impediment to said marriage rendering it void, it is a legal impossibility for the survivor to prove that a legal marriage was entered into after the removal of the impediment.

In Cowen's appeal (7 P. D., 374) it was held that the question as to whether the services of a soldier were rendered in any particular war, or series of military operations, is to be determined by the actual purposes of his enlistment and his actual services rendered, the date of enlistment being evidence only so far as that fact may serve to elucidate the purpose of enlistment.

In Landgraf's appeal (7 P. D., 380) a decision was rendered defining what amount of "means of support" other than her daily labor will be sufficient to deprive a widow of the benefits of section 3, act of June 27, 1890.

In Russ's appeal (7 P. D., 382) the date of commencement of the Florida war in claims under the act of July 27, 1892, was fixed.

In Curtis's appeal (7 P. D., 398) a former erroneous construction of section 4700, Revised Statutes, relative to soldiers on veteran furlough, was overruled.

In Loveitt's appeal (7 P. D., 405) the language of the proviso to the third section of the act of June 27, 1890, relative to the claims of insane, idiotic, or permanently helpless minors, was construed.

In Scott's appeal (7 P. D., 417) the construction which had been given to the language of the act of August 4, 1886, relative to the point of amputation of the leg which would entitle to the rate of $36, was applied to the arm, and the term "at the elbow" used in said act was

construed and defined, thereby including a number of claimants who had previously been allowed but $30.

In Kring's appeal (7 P. D., 420) it was held that section 1, act of June 27, 1890, must be construed in connection with section 4707, Revised Statutes, and the words "other present means of support" are held to mean "other present means of an adequate support."

In appeal of minors of Hamilton (7 P. D., 137) it was held that when a widow is deprived of her pension under the provisions of the act of August 7, 1882, the minor children of the soldier under 16 years of age will take the pension in the same manner as if the widow's right to pension had terminated by death or remarriage.

In Barleyoung's appeal (7 P. D., 453) the technical termination of the war of the rebellion on August 20, 1866, was fixed and determined.

In Crider's appeal (7 P. D., 162) the proper rule for the presumption of death in pension cases was defined.

In Server's appeal (7 P. D., 466) the correct rule to be followed in pension cases as to the presumption of marriage from cohabitation, repute, recognition, etc., was announced.

In Huff's appeal (7 P. D., 474) it was held that the fact that a mother was living as a mistress at the time of the death of the soldier (her son) was sufficient to rebut the assumption of her dependence on him.

In Mulholland's appeal (7 P. D., 494) it was held that the record of a decree of a State court will not be received as evidence in a pension case if such decree is shown to have been obtained through fraud or collusion.

In Williams's appeal (7 P. D., 507) it was held that under section 4707, Revised Statutes, dependence upon the soldier at date of his death relates to the needs, wants, and necessities of the father, mother, or minor brother or sister of the soldier, not to the ability of the soldier to furnish support, and prior holdings to the contrary were overruled.

In Farrel's appeal (7 P. D., 532) what enlistments in the military or naval service will be deemed and held to be for service during the war of the rebellion are determined.

In the appeal of minors of Toller (7 P. D., 545) the pensionable status of minor children of colored and Indian soldiers and sailors under provisions of section 4705, Revised Statutes, is defined.

In Ray's appeal (7 P. D., 546) the act of March 2, 1895, providing for the final disposition and payment of the accrued pension due deceased pensioners and claimants, is construed.

In the appeal of minors of Showalter (7 P. D., 478) it was held that under the act of June 27, 1890, a minor may file a declaration and prosecute his claim in person, by guardian or next friend, and in Crawford's appeal (7 P. D., 582) the same principle was applied to declarations in behalf of an insane person by next friend, thus instituting a more liberal practice than had theretofore prevailed.

In Lougee's appeal (7 P. D., 586) it was announced relative to service in the Confederate army as affecting right to pension under act of June 27, 1890:

That where there is a record of service in the Confederate army, whether by conscription or otherwise, such record failing to show whether such service was voluntary or involuntary, it will be presumed that service was voluntary; and while such presumption may be rebutted, the burden of proof is on him to show that such service was not voluntary.

Where it is shown that a claimant voluntarily engaged in or aided and abetted the rebellion his claim, under the act of June 27, 1890, should be rejected, under section 4716, Revised Statutes; but where it is shown that a claimant's service was wholly compulsory, who was conscripted into the Confederate army, he is excepted from the operation of section 4716, Revised Statutes.

These propositions were intended and have served to still further emphasize the position heretofore taken in the decisions referred to in my last report, whereby the rulings of my predecessor holding that the provisions of section 4716, Revised Statutes, prohibiting payment of pension to persons who had voluntarily aided or abetted the rebellion, did not apply to claims under the act of June 27, 1890, and which necessitated the grant of pension for disability incurred while actively engaged in rebellion. These were overruled and such pensions withdrawn.

LEGISLATION RECOMMENDED.

It is gratifying to state that the legislation recommended in my last report, extending the provisions of section 4718, Revised Statutes, to the cases of widows and dependent relatives of soldiers, was passed by Congress at the last session, and received the signature of the President March 2, 1895. Many of the difficulties and hardships heretofore experienced by deserving relatives of pensioners have been removed by this legislation, hundreds of claims heretofore refused have been paid, and the work of this office in respect to this class of claims greatly simplified.

I again earnestly recommend, as in my preceding report, that Congress be urged to so amend the third section of the act of June 27, 1890, as to provide definitely and certainly therein for the pensionable rights of minor children of pensionable age upon the death of the soldier, their father, leaving no widow surviving, and also to provide a certain and fixed date upon which the pensions of all minors entitled to the benefits of said section shall be made to commence.

I renew the suggestion in my former report as to legislation providing for a uniform rule for the proof of marriage required in the prosecution of pension claims.

In my last report I stated as follows:

I also believe it important that power should be conferred by law upon the Commissioner of Pensions to order that where a soldier in receipt of a pension unlawfully abandons his family and neglects to provide for them, such pension, or a part thereof, might be paid to his wife, or to someone in trust for his helpless minor chil-

dren under pensionable age; and I suggest that such legislation be recommended to Congress, thereby applying the law to the case of a father that is now applicable, under like circumstances, to the mother.

Careful consideration of the subject since has deepened my conviction as to the importance of legislation in this direction, and I am further convinced that some means should be provided through appropriate legislation for securing and protecting the pension money for the comfort and benefit of the pensioner or his family in those cases where the gift bestowed by a generous nation is squandered through drunkenness or other forms of vice, or where through weakness or incompetency the pensioner is defrauded of the nation's bounty through the schemes of wicked and designing persons about the time of each quarterly pay day.

In the investigation which I have given this subject, various remedies have been suggested, among which may be mentioned that of discontinuing all personal payments by checks at the pension agencies and requiring such payments to be made by mail, thus lodging the pension check with the pensioner at his home, where under the influence of friends or family this class would be able to resist the temptations through which the weak are entrapped. In addition to this it is also suggested that such individuals needing the protection indicated should be placed under the care of guardians or committees duly appointed to manage this fund for their benefit.

It is also suggested that while the statutes provide a proper punishment for embezzlement of pension money by guardians, yet there should be lodged, if possible, in the Federal courts the right of anyone on behalf of the Government to intervene for the purpose of securing greater protection to the fund and a speedier process for its recovery, it having been brought to the attention of the Department that many and flagrant abuses exist in the management of pension funds which are not properly and effectively remedied by application in the local courts by those entitled to institute the proceedings.

CONCLUSION.

In conclusion I desire to again bear testimony to the industry, efficiency, and zeal with which the regular and detailed members of the Board of Pension Appeals and the clerks and typewriters employed in connection with this work have performed their duties, without which the gratifying results herein noted could not have been attained, and I hereby renew to them my thanks.

JNO. M. REYNOLDS,
Assistant Secretary.

Hon. HOKE SMITH,
Secretary.

APPENDIX.

ANNUAL STATEMENT.

ORIGINAL APPEALS.

TABLE I.—*Statement showing disposition of pension claims from July 1, 1894, to June 30, 1895.*

Month.	Appeals pending on the 1st of the month.	Appeals filed during the month.	Total.	Action of the Pension Office sustained.	Action of the Pension Office reversed.	Reconsidered by the Pension Office pending appeal.	Appeals dismissed.	Total appeals disposed of
1894.								
July	1,572	445	2,017	354	56	.....	9	419
August	1,598	226	1,824	291	55	12	59	417
September	1,407	252	1,659	393	60	1	53	507
October	1,152	261	1,413	505	104	4	72	685
November	728	281	1,009	9	6	.....	.....	15
December	994	305	1,299	224	23	.....	14	261
1895.								
January	1,038	386	1,424	256	34	.....	24	314
February	1,110	215	1,325	482	41	4	50	577
March	748	394	1,142	244	37	.....	33	314
April	828	440	1,268	355	267	.....	16	638
May	630	776	1,406	569	473	1	23	1,066
June	340	301	641	316	52	1	29	398
July	243	.....	.....	.....	.....	.....	.....	.....
Total	.....	4,282	.....	3,998	1,208	23	382	5,611

MOTIONS FOR RECONSIDERATION.

TABLE II.—*Statement showing disposition of motions for reconsideration from July 1, 1894, to June 30, 1885.*

Month.	Motions for reconsideration pending on the 1st of the month.	Motions for reconsideration filed during the month.	Total.	Motions for reconsideration overruled.	Motions for reconsideration sustained.	Reconsidered and allowed by the Commissioner.	Motions for reconsideration dismissed.	Total motions for reconsideration disposed of.	Letters referred to the Commissioner of Pensions.	Letters sent.
1894.										
July	4	3	7	.....	.....	.....	.....	.....	1,300	915
August	7	30	37	2	.....	.....	.....	2	990	658
September	35	10	45	15	.....	.....	.....	15	825	600
October	30	25	55	40	4	.....	4	48	1,190	805
November	7	16	23	1	.....	.....	.....	1	895	630
December	22	10	32	13	2	.....	.....	15	1,015	695
1895.										
January	17	29	46	14	1	.....	3	18	1,045	830
February	28	9	37	32	1	.....	1	34	745	570
March	3	25	28	12	1	.....	.....	13	795	595
April	15	9	24	14	1	.....	.....	15	990	820
May	9	17	26	18	1	.....	.....	19	795	620
June	7	15	22	13	1	.....	.....	14	805	605
July	8	.....	.....	.....	.....	.....	.....	.....	.....	.....
Total	.....	198	.....	174	12	.....	8	194	11,370	8,343

FEE APPEALS.

TABLE III.—*Statement showing disposition of appeals relating to attorneyship and fees from July 1, 1894, to June 30, 1895.*

Month.	Fee appeals pending on the first of the month.	Fee appeals filed during the month.	Total.	Action of Pension Office sustained.	Action of Pension Office reversed.	Reconsidered by the Pension Office pending appeal.	Fee appeals dismissed.	Total fee appeals disposed of during the month.
1894.								
July	85	57	142	15	1	5	3	24
August	118	37	155	36	4	12	1	53
September	102	41	143	25	2	9	3	39
October	104	62	166	67	4	25	2	98
November	68	63	131	.....	.....	2	1	3
December	128	55	183	34	2	2	.....	38
1895.								
January	145	108	253	24	2	17	4	47
February	206	51	257	59	2	25	.....	86
March	171	79	250	62	3	41	1	107
April	143	90	233	72	.....	12	2	86
May	147	54	201	77	2	30	1	110
June	91	50	141	67	2	10	1	80
July	61	.....	.....	.....	.....	.....	.....	.....
Total	.....	747	.....	538	24	190	19	771

RECAPITULATION.

ORIGINAL APPEALS.

Appeals pending July 1, 1894	1,572	
Appeals filed from July 1, 1894, to June 30, 1895	4,282	
Total		5,854
Appeals wherein action of Pension Office was sustained	3,998	
Appeals wherein action of Pension Office was reversed	1,208	
Appeals reconsidered by Pension Office pending appeal	23	
Appeals dismissed	382	
Total		5,611
Appeals pending July 1, 1895		243

MOTIONS FOR RECONSIDERATION.

Motions for reconsideration pending July 1, 1894	4	
Motions for reconsideration filed from July 1, 1894, to June 30, 1895	198	
Total		202
Motions for reconsideration overruled	174	
Motions for reconsideration sustained	12	
Motions for reconsideration allowed by Pension Office		
Motions for reconsideration dismissed	8	
Total		194
Motions pending July 1, 1895		8

Fee Appeals.

Fee appeals pending July 1, 1894	85	
Fee appeals filed from July 1, 1894, to June 30, 1895	747	
Total		832
Fee appeals wherein action of Pension Office was sustained	538	
Fee appeals wherein action of Pension Office was reversed	24	
Fee appeals reconsidered by Pension Office pending appeal	190	
Fee appeals dismissed	19	
Total		771
Fee appeals pending July 1, 1895		61

Correspondence.

Letters referred to the Commissioner of Pensions	11,370
Letters sent	8,343

REPORT

FOR THE FISCAL YEAR ENDING JUNE 30, 1895.

DEPARTMENT OF THE INTERIOR,
CENSUS DIVISION,
Washington, D. C., July 29, 1895.

SIR: I have the honor to submit herewith a report of the operations of the Census Office for the fiscal year ending June 30, 1895, and of the condition of the reports of the Eleventh Census at that date.

The total cost of the Eleventh Census up to the date named has been as follows:

Expenses Eleventh Census	$8,598,419.93
Farms, Homes, and Mortgages	1,328,567.89
Printing, engraving, and binding	604,153.69
Total	10,531,141.51

By an act making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1895, and for other purposes, approved March 2, 1895, the office of the Eleventh Census, as a bureau, was abolished, and it was provided that the unfinished work of the Eleventh Census should be completed in the office of the Secretary of the Interior. In accordance with this act, a census division took the place of the Census Office. Mr. George S. Donnell, chief clerk of the Census Office, was made chief of the division, and is still occupying that position. The act abolishing the Census Office authorized the Secretary of the Interior to continue my services in accordance with the provisions of an act approved October 3, 1893.

It was not contemplated by the act abolishing the Census Office and providing for a division that any change in the status of the employees of the Census Office relative to the civil service would take place. But as the Census Office was abolished, and provision made for the establishment of a census division in the Secretary's Office, the Civil Service Commission very properly decided that the new division must be subject to all the rules and regulations governing other divisions of the Secretary's Office. As the act abolishing the Census Office took effect on the 4th day of March, 1895, and the Census Division was brought into service on that day, it was decided by the Civil Service Commission that the employees in the Census Division should be considered as within the classified service and subject to transfer, the same as

employees in offices over which the civil-service law has been extended by executive order. By this decision of the Civil Service Commission, some of the most experienced clerks in the census service have been transferred to permanent positions, and their skill and experience can be brought into requisition in the future. Others will be so transferred when their services are no longer needed in this division.

At the close of the fiscal year ending June 30, 1894, the total force receiving compensation was 672. At the present writing the total force on the pay-roll of the Census Division is 70. Some of this number have made arrangements for transfer to other offices; in this way the force will be reduced by the 1st or 15th of August to about 50, and thereafter constantly reduced as the work of the division draws to a close.

During June just passed the housing of the Census Division was changed from the Inter-Ocean Building, on Ninth street, to Marini's Hall, on E street. All the storage, for which accommodations were found in various places, has been brought to the same building, so that the vast amount of material collected at the Eleventh Census and the small clerical force are now housed under one roof. The change reduced the total annual expense for rent, fuel, etc., for the Census Division, from nearly $12,000 to $2,220, a saving by the change of $9,684 per annum, or $807 per month.

I am happy to inform you that the appropriations now available are, in my opinion, sufficient for all purposes of the Census Division, except, it may be, for printing and binding final results. I regret to say, however, that the anticipations expressed in my annual report for the year ending June 30, 1894, as to the early completion of the various reports, have not been fully realized, but the causes for this are legitimate and reasonable. The delay, which was but a few months, resulted, in the first place, from the interruption of the work of the office on account of the smallpox last autumn, and again through the removal of the office in June. These delays put off the completion of the work probably six weeks, but the chief cause of delay relates to Part II of the Report on Population, which comprises the statistics relating to age, school attendance, illiteracy, ability to speak English, occupations, citizenship, and soldiers and widows of soldiers, and, in addition to these matters, a Monograph on Education, compiled from the reports of schools in the United States as returned at the Eleventh Census. The most difficult feature of the census of population is that of the occupation statistics. The possibilities of error, moreover, in the prosecution of a work of such magnitude as the detailed tabulation of the occupations of upward of 22,000,000 people, subdivided according to sex, general nativity, color, age, conjugal condition, months unemployed, place of birth, birthplace of mother, and ability to read and write, and to speak the English language, can best be comprehended by the statement that there are at least a third of a million chances of error in the work of

transcription from original schedules and the tabulation of occupation returns. The tabulation concerning occupations, therefore, has been subjected to a most careful revision, and every doubtful point investigated, going back in all cases to the original return on the population schedule. This work of revision has, of course, been the chief cause of delay in the completion of the volume, but has been absolutely essential to accurate results and the integrity of the census. All copy for Part II has been made and verified, with the exception of a small part of that relating to occupations. The intermediate sheets for occupations, which constitute practically the "office copy" from which the printer's copy is made, have all been prepared subject to such corrections as may be revealed by the work of revision now in hand. This correction work is now nearing completion, and when the changes arising therefrom have been made on the intermediate sheets, the work of preparing the copy for the printer will be comparatively simple and can be rapidly completed. As the matter stands to-day, probably more than eight-tenths of all the work necessary to produce the copy for Part II of the Report on Population has been completed.

The Report on Vital Statistics, still incomplete, can not, of course, be finished until the work on Population is ready; the Report on Vital Statistics consists of four parts, two of which are already plated, one completely in the hands of the Printing Office, and nine-tenths of the fourth part finished. The only remaining matter for the office is Part III of the Compendium, being the last of the three parts, the second edition of the Abstract, as authorized by Congress, and the Statistical Atlas. Neither of these three works can be entirely completed until the tabulation of occupations is wholly out of the way, but the copy for the remaining volume of the Compendium can be put in shape in two weeks' time. The Abstract is practically ready except the insertion of a chapter on occupations, and the Statistical Atlas is nineteen-twentieths completed. It is contrary to law for the Printing Office to make the contract for the Atlas until all the copy is in hand. Neither of these three matters, however, need delay the office more than a month after the completion of Part II of the Report on Population. The only remaining service then to be performed by the Census Division will be proof reading.

As stated in my annual report for June 30, 1894, the number of pages comprehended in the 25 volumes of reports, is, in round numbers, 22,000. At that time 6,298 of this total number had been plated. The work of the Census Office during the past year is well shown by the statement that there are now 16,522 pages of the final reports in plate. The total number of plated pages in regular and extra bulletins, Compendium, and final reports on the 30th of June, 1894, was 17,547. The total number of pages now in plate, including the various features of the census, is 26,930. These facts alone demonstrate the industry of the Census Office during the past fiscal year.

STATUS OF CENSUS REPORTS JUNE 30, 1895.

Briefly stated, the condition of the final reports is as follows: There are to be in all 25 volumes of final reports, comprehending, in round numbers, 22,000 pages. Of these final reports, 17 are out of the hands of the census force. They are as follows:

Population, Part I.
Vital Statistics, Part III.
Vital Statistics, Part IV.
Crime, Pauperism, and Benevolence, Part II.
Churches.
Manufactures, Part II.
Manufactures, Part III.
Wealth, Debt, and Taxation, Part I.
Wealth, Debt, and Taxation, Part II.
Insurance, Part I.
Insurance, Part II.
Agriculture, Irrigation, and Fisheries.
Transportation, Part I.
Transportation, Part II.
Mineral Industries.
Indians.
Alaska.

In addition to the above, Parts I and II of the Compendium and the first edition of the Abstract have been sent to the public.

Of the foregoing final reports, 9 have been issued and distributed, namely:

Population, Part I.
Vital Statistics, Part III.
Churches.
Wealth, Debt, and Taxation, Part I.
Insurance, Part I.
Transportation, Part II.
Mineral Industries.
Indians.
Alaska.

The number of volumes completed, that is, completed in every sense, so far as this office is concerned, but not yet distributed, in addition to the foregoing, is 8, as follows:

Vital Statistics, Part IV.
Crime, Pauperism, and Benevolence, Part II.
Manufactures, Part II.
Manufactures, Part III.
Wealth, Debt, and Taxation, Part II.
Insurance, Part II.
Agriculture, Irrigation, and Fisheries.
Transportation, Part I.

These eight volumes will be distributed to the public at once. The Census Division is reading the final pages of the proof of four volumes, namely: Real Estate Mortgages; Manufactures, Part I; Insane, Feeble-

minded, Deaf and Dumb, and Blind; Crime Pauperism, and Benevolence, Part I. Two volumes are at the Printing Office, namely: Vital Statistics, Part II, and the Report on Farms and Homes: Proprietorship and Indebtedness, for which proof is still to be read. The only copy to be forwarded to the Printing Office is the Report on Population, Part II, and Vital Statistics, Part I, as already stated, and the copy for Part III of the Compendium, Abstract, and Statistical Atlas.

PROVISIONS OF LAW AS TO PUBLICATIONS.

There is some misapprehension as to the scope of the Eleventh Census and the volume of final results. In the act of March 1, 1889, providing for taking the Eleventh and subsequent censuses, it is provided that, "the only volumes that shall be prepared and published in connection with said census shall relate to population and social statistics relating thereto, the products of manufactures, mining, and agriculture, mortality and vital statistics, valuation and public indebtedness, recorded indebtedness, and to statistics relating to railroad corporations, incorporated express, telegraph, and insurance companies, a list of the names, organizations, and length of service of surviving soldiers, sailors, and marines, and the widows of soldiers, sailors, and marines." The work of the Eleventh Census has been confined strictly to the topics just enumerated, as stated in the census law. It was probably the intention of Congress to restrict the number of volumes as well as to designate the topics which should be treated, but a subsequent act entitled "An act to provide for the publication of the Eleventh Census," approved February 23, 1895, provided as follows:

That the reports of the Eleventh Census of the United States be printed and bound at the Government Printing Office, to consist of the following: A digest of the leading statistics, not to exceed 200 octavo pages; a compendium; a report on population; a report on manufactures; a report on agriculture; a report on wealth, debt, and taxation; a report on farms, homes, and mortgages; a report on mineral resources; a report on transportation; a report on insurance; a report on vital statistics; a report on statistics of special classes; a report on fish and fisheries; a report on educational and church statistics; a report on social statistics; a report on Alaska; a report on Indians, and a statistical atlas, together with such special reports and monographs as may be found necessary.

By this act there were to be 15 reports, but by the second section of the act it was provided that any or all of the reports might, for convenience of publication, be divided into parts and each part published separately. This was left to the discretion of the Superintendent of Census, with the approval of the Secretary of the Interior. These 15 reports provided for in the act of February 23, 1893, were specific reports, and did not include the Compendium, Abstract, and Statistical Atlas. It is, therefore, the subdivision into parts that makes the final reports of the Eleventh Census number 25. The number of topics is strictly according to law. As planned under the law of March 1, 1889, and of February 23, 1893, the total number of volumes, including the

names of veterans, was 32, and had no change been made there would have been brought out 32 quarto volumes instead of the 25 volumes that now comprehend the entire results of the census that will be published. The decrease of 7 volumes in number was the result of a recommendation which I had the honor to make, and which you readily approved, that the provisions of the act to provide for taking the Eleventh Census, approved March 1, 1889, relating to the publication of names, organizations, and length of service of those who served in the Army, Navy, or Marine Corps of the United States in the war of the rebellion, and who were survivors at the time of the Eleventh Census, and of the widows of soldiers, sailors, or marines at that time, be repealed, and that the special schedules containing such names, organizations, and length of service be transferred to the Commissioner of Pensions for use in the Army and Navy survivors' division of the Pension Office. This recommendation was acted upon favorably by Congress, and the schedules turned over to the Commissioner of Pensions as provided by an act approved April 21, 1894. By this action I was able to reduce the number of volumes from 32 to 25, as stated, and to save to the Treasury about $250,000, while the Government and the public secured all the material advantages of the enumeration of the veterans and widows contemplated by the act of March 1, 1889, for the results have been tabulated and will appear in Part II of the Report on Population, thus giving to Congress the number of veterans living at that time and widows of deceased soldiers, while the Pension Office is in possession of the data as to names, organizations, and length of service of veterans.

There is another matter concerning which there is some misapprehension; this relates to the completion of the final reports of the Eleventh Census. It is often stated that the public is being deprived of the results of the Eleventh Census by the length of time taken for the final compilation. When it is understood that this compilation contains the details as to minor divisions, and in every respect of the whole work of the census, and that the material facts have long since been given out, such misapprehension seems to have little weight. Yet it is readily admitted that the final results of the enumeration and the collection of various facts should be completed at a much earlier date. The bulletin feature of the census is most valuable, and under it there have been sent out nearly 7,000 quarto pages of printed matter, covering the most important and useful facts comprehended by the census law. Still, the desire for final results at an early date is reasonable, although the time in which they are expected is often unreasonable, and comparisons are made with the time of foreign countries after each enumeration. Such comparison, however, instead of being unfavorable to the Federal census is entirely favorable to it. Without discussing the value of the vast amount of material under the Federal censuses, in the Tenth 22 large quartos and in the Eleventh 25,

it is certain that the bulk alone can not be compared with foreign results. Most European countries take their decennial census a year later than our own, but their censuses consist of but few inquiries and relate to the population only, the results being comprehended in from one to three volumes. With this minimum of work, however, foreign census volumes are not published, as a rule, inside of three years from the time of the enumeration. The comparison, therefore, is creditable to the Federal census. Yet the whole system should be changed, for the long time taken to complete a Federal census is the result of the system under which it is taken and the results compiled. It is my opinion, which I state after most careful consideration and examination of conditions, that with a more scientifically arranged system, and the employment of a force drawn from the civil service lists, at least $2,000,000 might have been saved in the Eleventh Census, and at least one year in the completion of final reports.

In my last annual report I called attention to the permanent binding of the schedules of the Eleventh Census in conformity with past custom. In discussing this matter with the proper committees of Congress, it was decided that it was better to put these schedules in order for binding and leave the matter of a permanent form for later consideration. In accordance with this idea, a small appropriation was made to enable this office to put the schedules in proper shape for permanent binding. This work is going on, and it is so systematized that it does not interfere with the completion of the clerical work.

You may confidently look for the rapid reduction of the force of this office after the 1st of October, and the entire cessation of clerical work during the present calendar year. I am assured by the Public Printer that he will do all in his power to bring out the final reports rapidly, and, if possible, during the present calendar year. The condition of the work of the Census Division and the condition of the final reports show clearly that the work of the Eleventh Census will be completed at least two years earlier than was the work of the Tenth Census. This result is very gratifying. Of course there must be a force of proof readers as long as material remains in the Printing Office, and it will probably be necessary to retain a Census Division even after the last volume is sent out, as the inquiries coming from the public are constant and need special answers. I am in hopes, however, to ask to be relieved of the charge of the census work early in the coming autumn.

Thanking you for your considerate assistance and co-operation at all times, I am,

Very respectfully, your obedient servant,

CARROLL D. WRIGHT,
Commissioner of Labor in Charge.

The SECRETARY OF THE INTERIOR.

REPORT

OF THE

COMMISSIONER OF RAILROADS.

DEPARTMENT OF THE INTERIOR,
OFFICE OF COMMISSIONER OF RAILROADS,
Washington, November 1, 1895.

SIR: In compliance with the provisions of the act approved June 19, 1878, entitled "An act to create an auditor of railroad accounts, and for other purposes" (20 Stat. L., 169), I have the honor to submit the following report and accompanying exhibits upon the physical and financial condition of the property and affairs of the several railroad companies coming under the jurisdiction of this Bureau and which have submitted reports to it during the past year according to law.

The effects of the financial and industrial depression referred to in my last annual report continued to be felt in a positive and comparative decrease of railway earnings during 1894 and until the close of the fiscal year. At that date (June 30, 1895) reports from all the industrial and commercial centers indicated an increased activity in every branch of production. Higher prices ruled and wages were being voluntarily increased. To these general and continuous reports of improvement in all branches of trade and industry there has been no interruption. With the harvesting of abundant crops, iron industries running at their full capacity, cotton and woolen mills making full time, and with an encouraging demand for manufactured goods of every description, a heavy movement of freight during the fall and winter may be confidently looked for.

In addition to the foregoing all indications point to the fact that cattle shipments from the Northwest will begin earlier this year than usual, with a decided improvement in the condition of cattle, whose owners will probably realize an advance of 25 per cent over the prevailing prices of last year.

As a fair gauge of prospective freight traffic it may be stated that during the first five months of the current year contracts for 25,000 new cars had been awarded, which is in striking contrast with the record for 1894, when the aggregate output was less by 5,000 cars than for the first five months of 1895.

Owing to the effects of two years of depression, as shown in a decrease of earnings, the railway companies were required to practice the most rigid economies in a general reduction of operating expenses. This is especially true of the bond-aided companies, whose expenditures for new construction and equipment were reduced to a minimum. The Railway Age estimates the expenditures by the railways of the United States on this account to have been $100,000,000 less than in 1893. As in the near future rails, bridges, and rolling stock will require to be renewed increased activity in that direction may reasonably be expected, and the outlay for material and wages will naturally and necessarily increase the volume of currency in circulation.

In financial circles the railway is regarded as a commercial barometer. Weekly statements of earnings are eagerly awaited on the stock exchange. The maintenance, advance, reduction, or passing of a dividend on an important stock is a marked factor, while in speculative transactions a steady improvement in railway earnings is regarded with great favor.

The influence of the panic of 1873 having been felt for a much longer period than is likely to be the case with the panic of 1893, the outlook for the railways is now regarded as most encouraging.

UNION PACIFIC RAILWAY.

The Union Pacific system, as now constituted, comprises the lines of fifteen distinct companies, united by stock ownership or lease, aggregating 4,903.74 miles. The capital stock of the company is $60,868,500, and its net indebtedness to the Government amounts to $53,005,063.30. Other obligations, consisting of floating bonds in the hands of the public to the amount of $74,000,000, will bring the liabilities to, say, $187,873,500. As stated in my last annual report:

> Its obligations to the Government not having matured, no default has yet been made; but on November 1, 1895, Kansas Pacific bonds to the amount of $640,000 will mature, and between that date and January 1, 1899, the balance of the subsidy bonds, aggregating $32,899,512, will also mature, for whose payment or redemption the company has made no provision, with the exception of certain bonds held by the American Loan and Trust Company of Boston, as trustee, under an indenture bearing date July 1, 1886, whereby a sinking fund was created for the further security of the first mortgage bonds of the Kansas Pacific Railway Company. The bonds held under this indenture amount to $1,343,000.

There has been no further dismemberment of the system since August, 1894, when a separate receiver was appointed for the Denver, Leadville and Gunnison Railway.

The appointment of separate receivers for the Oregon Short Line and Utah Northern Railway, although decreed by the Federal courts in Oregon, Wyoming, and Utah, had not been carried out at the close of the fiscal year, owing to the refusal of the trustees for the second-mortgage bondholders to pay the interest due on the first-mortgage bonds July 1. The reason assigned for the refusal was the appointment by

the court in Utah of a co-receiver to protect the interests of the first-mortgage bondholders and of the parties interested in the small roads in that Territory, which were likely to be abandoned by the second-mortgage trustees. The result is that, pending foreclosure, the Oregon Short Line will continue to be operated as part of the Union Pacific system.

On October 1, 1893, this company owned or controlled 8,167 miles of railway lines. Of this mileage 476 miles were represented by roads leased to other companies or owned jointly, leaving 7,691 miles operated directly. Successive steps in the process of dismemberment, by the appointment of separate receivers, were taken as follows:

	Miles.
October, 1893, St. Joseph and Grand Island Railroad	251
December, 1893, Union Pacific, Denver and Gulf Railway	1,478
June, 1894, Oregon Railway and Navigation Company	1,059
August, 1894, Denver, Leadville and Gunnison Railway	325
Total	3,113

Under date of March 9, 1895, an official order was promulgated by the Treasury Department directing, upon application of the receivers of the branch (nonaided and leased) lines of the Union Pacific Railway system, that thereafter all compensation for transportation services rendered by such lines be not retained in the Treasury of the United States, as formerly, but paid to the said receivers in cash.

The importance of this order (the justice of which under the conditions which had arisen is not questioned) can be best shown by an illustration of its effects in a brief statement of the reasons for the adoption of the previous practice.

The practice of retaining in the Treasury of the United States the amount of earnings of the nonaided and leased lines of the Union Pacific system, the same being for transportation services rendered the Government, and crediting the amounts so ascertained annually to the sinking fund, was adopted originally by the Treasury Department in compliance with the request of a former president of the company (Mr. Charles Francis Adams), beginning in 1885, an assignment of the earnings of said lines being made by him and accepted by the Treasury Department in part payment of the amount ascertained by this office to be due the United States under the provisions of the Thurman Act for that calendar year.

In a statement of account between the Union Pacific Railway Company and the United States the total requirement for the said year, as ascertained by this office, was $1,254,489.03. Deducting therefrom the amount of Government transportation, all of which is required to be retained, the sum of $533,010.49 was found to be payable in cash. In liquidation of this indebtedness Mr. Adams deposited with the assistant treasurer of the United States, in Boston, the sum of $155,246.59, and tendered in settlement of the remainder an assignment of earnings over

nonaided lines, amounting to $377,763.90, which was accepted by the Secretary of the Treasury in lieu of cash, thus balancing the account. The practice thus begun was continued without objection until the promulgation of the order by the Treasury Department herein referred to.

What effect the latter will have in causing a reduction of credits on account of transportation services can not now be ascertained, but it must result in a return to the former practice of making demand upon the company for payment of the annual requirement in cash, after deducting credits for transportation services rendered by the bond-aided lines.

In this connection it seems proper to call the attention of the Department to the fact that, the sinking fund being the property of the company, the latter has naturally a greater pecuniary interest in it than in the bond and interest account.

The retention of the earnings of the nonaided lines and the application of the entire amount to the credit of the sinking fund was an error which my predecessor sought to have corrected, but which, nevertheless, has been perpetuated. A transfer of the proper amount by counter warrant from one fund to the other would have balanced the account, as suggested by him. (Report Commissioner of Railroads, 1889, p. 24.) On January 1, 1895, the sum involved amounted to $871,511.99.

CENTRAL PACIFIC RAILROAD.

The lease of the Central Pacific Railroad to the Southern Pacific Company, under date of February 7, 1885, was subsequently modified by agreement bearing date January 1, 1888, and on January 1, 1894, it was still further revised and changed by the parties thereto. (For copy of lease see Report Commissioner of Railroads, 1894, pp. 24–27, and for results of operations thereunder see details under the heading of Central Pacific Company in the body of this report.)

The Central Pacific Railroad comprises the following lines: The United States bond-aided line extends from a point 5 miles west of Ogden, Utah, to Sacramento, Cal., and thence, via Niles, to San Jose, a distance of 860.66 miles.

Nonaided:	Miles.
Roseville, Cal., to Oregon State line	296.50
Lathrop to Goshen, Cal	146.08
Oakland local lines	4.84
Alameda local lines	11.46
San Francisco to Niles, including ferries on San Francisco Bay	31.15
Total	490.03

In addition to the foregoing there are 5.64 miles of trackage over the Northern Railway, from Brighton to Sacramento, and five miles leased from the Union Pacific and 0.11 mile nonaided at Ogden, making a total of 1,359.65 miles operated.

The capital stock of the company is $67,275,500, the amount of funded debt is $60,024,000, and the net indebtedness to the United States $57,734,182.27; a total liability of $185,033,682.27.

The first installment of bonds issued to this company in aid of construction amounted to $2,362,000, which, with interest for thirty years at 6 per cent, fell due on January 16, 1895. It was stipulated in the act of 1862, under which these bonds were issued, that they should be paid by the company at maturity; but, as a matter of fact, they "were paid from the general funds in the Treasury" of the United States. It is true the said payment may be reimbursed from the sale of bonds in the sinking fund, but there appears to have been no market for such bonds, and there are not enough of them to cancel one-tenth part of the debt.

On June 29, 1895, in the United States circuit court at San Francisco, in the suit instituted by the United States against the estate of Leland Stanford for the recovery of $15,000,000, on account of his individual liability as a stockholder, the demurrer of Mrs. Stanford was sustained by Judge Ross. An appeal from this decision was subsequently ordered in behalf of the United States and the case will now go to the United States circuit court of appeals for the Pacific Coast district.*

CONDITION OF THE PROPERTIES.

The properties of the Union and Central Pacific Railroad companies, including roadbed, tracks, bridges, shops, and rolling stock, were personally inspected by me during the months of June and July of the current year, and found to be in excellent physical condition.

Those of the Sioux City and Pacific, the Central Branch Union Pacific, and the Kansas Division Union Pacific, were inspected by the assistant bookkeeper, under my direction and in the absence of a railroad engineer, during the month of August.

The books and accounts of the bond-aided railroad companies were examined by the bookkeeper at the following times and places: Those of the Union Pacific and the Central Branch Union Pacific in Boston, during the month of June; those of the Central Pacific in San Francisco and those of the Sioux City and Pacific in Chicago, during the month of July of the current year. The amounts found due the United States, under the provisions of the Thurman Act and the acts of 1862 and 1864, were carefully ascertained. The results of operations for the calendar year 1894 show a diminution of net earnings, except as to the Sioux City and Pacific, but in the case of the Union and Central companies, an increase in requirements. An explanation of these differences is subsequently shown.

*The decision of Judge Ross has since been affirmed by the court of appeals and notice given of final appeal to the Supreme Court of the United States.

UNITED STATES REQUIREMENTS FOR 1894 UNDER THE THURMAN ACT AND THE ACTS OF 1862 AND 1864.

The amount found due the United States by the Union Pacific Railway Company (including the Kansas Division) for the year ended December 31, 1894, was $22,884.70 in excess of 1893, notwithstanding a decrease in net earnings amounting to $1,758,232.73. Although the latter was not compensated for by a corresponding reduction in operating expenses, the increased requirement is explained by an increase of $118,099.53 over 1893 in the amount of Government transportation, all of which is retained.

The net earnings of the Central Pacific Railroad Company in 1894 show a reduction of $443,607.84 as compared with 1893, but the amount of transportation services rendered the Government (all of which is credited to the United States in ascertaining the percentage of net earnings) was $37,106.11 in excess of the previous year, consequently the amount found due the United States was $14,925.72 in excess of 1893.

The net earnings of the Sioux City and Pacific Railroad Company in 1894 were $24,401.98 in excess of 1893, and the amount found due the United States under the acts of 1862 and 1864 was $1,469.38 in excess of the requirements for the previous year.

The Central Branch Union Pacific Railroad Company shows a decrease in net earnings, as compared with 1893, of $51,860.05 and a corresponding decrease in the amount found due the United States under the acts of 1862 and 1864 of $2,464.44.

EXTENT OF PACIFIC RAILWAY BANKRUPTCY.

The following land-grant roads, coming under the supervision of this Bureau, are still in the hands of receivers:

Atlantic and Pacific.
Atchison, Topeka and Santa Fe.
Little Rock and Memphis.
Northern Pacific.
St. Louis and San Francisco.
Wisconsin Central.

LEGISLATION SUGGESTED TO OR PROPOSED BY THE FIFTY-THIRD CONGRESS.

On January 18, 1895, the Union Pacific Railway Company, through the chairman of its board of directors, presented a petition and memorial (S. Mis. Doc. No. 55, Fifty-third Congress, third session) offering to assess the stockholders of the said company a sum sufficient to pay all bonds having priority over the lien of the United States in consideration of an extension of its debt to the United States for a period of fifty years, with interest at 2 per cent.

This action, as stated in the petition, was in accordance with the terms and provisions of the Reilly bill. The petition in part is as follows:

Your petitioners seek and desire if possible to protect the holders of their stock and of their various securities junior to the Government's from the great and irreparable loss which would of necessity fall upon them as the result of a sale in foreclosure, either under the mortgages prior to the lien of the Government or for the satisfaction of Government debt. With this object in view they have carefully examined the various measures which have been proposed in this Congress, the report made in October, 1894, by the Government directors, and especially the bill pending in the House of Representatives known as H. R. 7798. This bill provides in brief that whenever either of the bond-aided Pacific railroads shall provide a sum which, together with the funds now held in the sinking fund, shall be sufficient to pay off at or prior to the maturity thereof all bonds secured by mortgages having a lien prior to the lien of the United States, then the bonds of the company making such provision, secured by a mortgage upon all of its franchises and property as in the said act authorized, shall be received as collateral security for the amount of its indebtedness to the United States. The act further provides that the bonds so to be given shall bear interest at 3 per cent per annum, and shall be secured by a mortgage covering all your petitioners' property, subject, however, to any bona fide lawful and paramount lien, claim, or mortgage thereon, except that as to the entire property covered by the lien of the United States, the mortgage so to be given shall become a first lien by reason of the payment of all prior liens thereon under the provision to that effect contained in the second section of the said act above referred to.

Your petitioners further show that the par value of the securities and money held in the United States sinking fund for account of the Union Pacific Railway Company on December 1, 1894, was $14,311,156.78, and the actual value thereof is about the same amount; that the amount of cash needed in order to meet the requirements of the said second section of the Reilly bill, so as to fully pay and discharge all bonds which have priority over the lien of the United States, would be about $20,000,000.

Your petitioners further represent that it will be utterly impossible to obtain the very large sum referred to from the said stockholders, unless it be possible to offer to them in satisfaction of their assessments reasonable security for the moneys so advanced; that at a meeting recently held, at which were present representatives of a large amount of the stock of the said company, the conclusion was reached that if the debt to the Government could be funded substantially on the terms of the Reilly bill, but at a rate of interest bearing 2 per cent per annum instead of 3, the said stockholders or their representatives would endeavor to raise the funds needed for the purpose of meeting the requirements of the Reilly bill. As the security to be offered for the proposed assessment would necessarily be subject to the Government debt on that portion of the railroad which is now affected by the Government lien, which would represent a prior mortgage lien amounting to $50,000 per mile, it would be impossible to obtain the funds required for the said purpose unless the fixed charge should be reduced to 2 per cent instead of 3 per cent.

Your petitioners suggest the amendment of the Reilly bill in the following particulars:

First. The bill must be amended by reducing the rate of interest on the bonds to be issued to the Government to 2 per cent. These bonds to be payable fifty years after their date, to be secured by a mortgage on the 1,822.59 miles comprising the Union Pacific Railway Company's property, which mortgage shall be a first lien on that part of said railroad which is now covered by the Government lien, and as to the rest of the said railroad it will be subject to the liens and mortgage which now

cover the same. The ultimate payment of the said bonds shall be further secured by reasonable sinking-fund provisions.

Second. The benefits of the provisions contained in the Reilly bill shall be extended to a committee charged with the duty of purchasing the said property of the Union Pacific Railway Company, being the 1,822.59 miles referred to in the said bill, and power shall be granted to such purchasing committee to become or form a successor corporation for the general purposes of and with the general powers stated in the acts of 1862 and 1864, under which the Union Pacific Railroad was originally incorporated, and the acts amendatory thereof and additional thereto.

Third. The exceptional restrictions on usual corporate powers and rights which are contained in the Reilly bill must be stricken from the act and the successor corporation given the same rights, privileges, and freedom of action that are exercised and enjoyed by other railroads.

On January 28, 1895, the Senate Committee on Pacific Railroads, through its chairman, submitted a report upon the affairs of the Union Pacific Railway Company in answer to the following resolution of the Senate, which was adopted by that body on October 13, 1893:

That the Committee on Pacific Railroads be directed to investigate and report to the Senate if the Union Pacific Railway Company has passed into the hands of a receiver; and if so, by what action and under what circumstances, and what steps, if any, are necessary to protect the interests and secure the indebtedness of said railway, reporting by bill or otherwise.

The committee is further directed to inquire into and report upon the extent of the authority of Congress over said road.

The report, condensed, is as follows:

For more than a year the committee has been at work on the solution of the problem called for by this resolution. The result is a committee report of 123 printed pages, dealing with the affairs of both the Union Pacific and Central Pacific railroads in an apparently exhaustive manner. The Union Pacific, the more important of the two, is treated under four heads, to wit: (1) The charter, construction of roads, and subsequent legislation; (2) the roads comprising the system at present and their financial status; (3) the policy of owning and controlling branch lines of said road and other outside investments; (4) measures of relief.

"The increase of relief to be provided," says the report, "ought to be comprehensive and far-reaching enough to embrace all these interests. It should especially aim to preserve the rights of the United States in the premises, and be such as the roads can live under. Whatever of partnership relations exist between the United States and these roads should be terminated in such manner as shall be to the interests of both. In dealing with this subject more regard must be had for present conditions than for past grievances. Recollections of the Credit Mobilier and other unjust manipulations should not overbalance the sober business thought of to-day or outweigh considerations and conditions obtaining at the present time."

After setting forth the present condition of affairs, the appointment of receivers, and elaborately reviewing the legislation had with regard to the subject-matter of their report from the time the original act was passed, the committee discuss at length the measures of relief, or, as stated in the report, "what action ought the United States to take in the premises in order to subserve the interests of all parties concerned and save or secure the Pacific Railway debt."

The committee oppose the absolute foreclosure and sale of the property *for the reason* that "the net result of such a policy would be the

extinction of the Government debt with little or no recompense beyond the amount now in the sinking fund—a virtual sacrifice of, say, $50,000,000."

Should the United States conclude instead to pay off the first-mortgage bonds underlying its own subsidy bonds, so as to give it a first mortgage on the lines of the Union Pacific, the first question that suggests itself is that of cost. The bonds necessary to be redeemed are as follows, in round numbers: First-mortgage, $35,500,000; subsidy, $35,500,000; excess of interest (approximate), $25,000,000—a total of $96,000,000, or an average cost of $62,682 per mile on 1,532 miles of road. These figures apply only to the subsidized portions of the road, without the terminals, and the committee, quoting the language of the Commissioner of Railroads in his report for 1892, says: "It would not seem to be desirable for the Government to acquire railroad properties at these figures." To become possessed of a first mortgage on the entire line from Council Bluffs to the junction with the Central Pacific, the branch lines, and the expensive terminal facilities in the various cities would, the committee say, involve an outlay of $180,000,000. The road could not be sold for enough to satisfy the debt secured by such a mortgage, "so that," the report continues, "it is difficult to see wherein the situation of the Government would be improved by such a course of procedure over what it is at present." Continuing the subject of remedial legislation, the report says:

Another course seems to have been left open by the Government under the sixth section of the act of 1862, which provided that the grants were made upon the condition that the company should pay the subsidy bonds at maturity. This is a condition subsequent, and for a breach of the same the United States may at the maturity of the debt proceed to forfeit the charter of the company and wind up its business through a receivership and take its chances for a recovery of whatever portion of the debt it may be able to obtain.

From what we have said above we think it clear that that amount would be very small indeed. It is a question, however, whether on the whole it might not be the best thing under the circumstances to do. It might leave out a large number of junior securities altogether, and it might practically annihilate and wipe out the Government debt without the payment of any portion of the same; yet, while this would entail a great deal of loss on persons who have honestly and in good faith invested their money in securities of the roads, believing that the road was practically backed by the Government, yet on the whole by a reorganization of the system on a purely business basis at its real value, without any "water" in its securities, the road would be more easily put upon a paying basis, and would in the end be of much more benefit to the communities which it would serve, inasmuch as to meet its necessities it would not need to earn nearly so much as it does now on its present basis of capitalization and debt, and the rates of passenger and freight traffic could be thus materially reduced.

Your committee, however, do not wish to be understood as recommending this measure of relief, but merely suggest it as an alternative in case other remedies, believed now to be better, should fail.

In concluding this part of their report the committee say it is "clear, beyond question, that as a financial investment the operation of the bond-aided Pacific roads by the Government would be a flat failure."

"We are abundantly satisfied," they add, "that on the question of governmental policy it would be at present, and under existing circumstances, unwise, and would be fraught with serious consequences to the Republic, and with results far-reaching and in the end injurious."

If the adoption of none of the plans we have discussed would be for the interest of the Government or the communities and people who are to be served with railroad facilities by this system of roads, and no other comprehensive scheme, based on good business sense and sagacity, be presented, the only alternative would seem to be to fund the Union Pacific debt for a considerable period of time, at a rate of interest commensurate with the earning capacity of the road. This is the plan which has found most favor with financiers and those who have given the subject much attention.

As to the period for which the debt should be extended, and the rate of interest, the committee for the present make no special recommendation. They confine themselves generally to the matter of refunding the debt for such a period and for such a rate as shall enable the company, under ordinary circumstances and business conditions, to meet the current interest and a portion of the principal of the debt each year, so that, at the expiration of the period for which the extension is granted, the debt may be discharged.

The continuance of the sinking fund and the payment into it of a larger percentage of net earnings does not meet with favor by the committee. They prefer periodical payments of a fixed amount. They express the belief that the Union Pacific is destined to become a great property, and that it will be among the first to be benefited by the revival of business. The natural development of the West will materially increase the earnings of the road and enable it, in the course of a long period of years, say the committee, to meet all its obligations if the United States will grant it the privilege of refunding its debt at a rate of interest commensurate with its earning capacity.

That part of the report relating to the Central Pacific states the condition of the road only, the committee making no recommendation with regard to it.

What is known as the Reilly bill (H. R. 7798) was, on February 2, 1895, recommitted to the House Committee on Pacific Railroads by a vote of 177 to 108. Only three of the eighteen sections of the bill had been read, but an amendment was adopted to prevent the payment of dividends on the stock until after the Government debt has been discharged. A substitute, providing for foreclosure of the second or Government mortgage in case of default, was cut off, and an amendment defeated to compromise the debt for $75,000,000.

On February 11, 1895, the Union Pacific Railway Company, through Mr. Boissevain, a member of the reorganization committee, submitted another proposition looking to a settlement of the indebtedness to the United States of the Union and Central Pacific Railroad companies. This proposition was alleged to have been made by reason of the fact that the House had recommitted the Reilly bill without instructing the Executive Departments of the Government as to the judgment and

opinion of Congress upon the question of protecting the interests of the United States. The belief was expressed by interested parties that if Congress should pass a bill permitting the Secretary of the Treasury to accept a cash payment of a sum equal to the principal of the Government debt in full for all claims of the United States it would prove acceptable to those concerned.

Government Director Anderson is reported to have said that the result of the proposal, if carried out, would be to protect the Government against paying the "currency sixes," and would be equivalent to the Reilly bill at 2 per cent, but not as good as the bill at 3 per cent.

Mr. Tweed, a representative of the Central Pacific Railroad Company, is reported to have said that if the persons who advanced the money necessary to make the payment on behalf of that company could be protected by holding the Government lien as security, he believed the proposition would be acceptable to them.

On February 23, 1895, a substitute for the Reilly bill was introduced in the House by the Committee on Pacific Railroads (H. R. 8943), and on February 26 a minority substitute was offered. The latter measure, like the one reported by the majority of the committee, provides for the payment of the principal of the Government debt, but requires that instead of turning the sinking fund over to the companies it shall be applied as the present law directs, to wit, to the reduction of the first-mortgage bonds. It seeks to retain the rank of the lien of the Government for the security of the unpaid interest, as it at present exists, instead of permitting the interest to be reduced to a third place, which would be one of the effects of the majority bill. It further provides that the terminals and unsubsidized parts of the main line shall be subject to the lien of the Government as was the purpose of the original bill. The bill aims to prevent the dismemberment of the different portions of the Union Pacific system which is contemplated by section 11 of the majority bill. It also requires that its term shall be accepted by all of the Pacific railroad companies.

Neither of these measures was considered by the House

JUDICIAL DECISION PENDING.

The suit of the Union Pacific Railway Company to recover (1) the amounts collected from it by this Bureau on account of 25 per cent of the net earnings of the Omaha bridge, (2) a deduction from the gross earnings of the amount of interest paid on the bridge bonds, and (3) a deduction of the amount of earnings of the Pullman Car Company is still pending in the Court of Claims.

RECOMMENDATIONS.

The continued failure of Congress, owing to diversity of opinion among the Members, to agree upon some measure of legislation which will secure to the Government an ultimate repayment of the moneys

originally advanced by it as a loan to the Pacific Railroad companies in aid of construction, induces me to renew the recommendations with regard thereto which were submitted in my first and second reports.

The results of the past two years have shown that during a period of financial and industrial depression it would be impossible for the Union Pacific Railway Company, for example, to meet the annual fixed charge, in addition to other necessary and inevitable expenses, of such an amount as would be required to discharge its debt to the United States in "fifty years at 3 per cent," as proposed by the Reilly bill, or even 2 per cent, which the representatives of the company were understood to be willing to accept.

Some regard should be had for such conditions as have existed and which are likely to arise again. In a period of "hard times," through which the country has just passed, when the gross receipts of the Union Pacific system were reduced to $1,000,000 a month below the normal, the fact should be recognized that the requirements of a cast-iron rule can not be observed. On the other hand, it must be admitted that a flexible adjustment of the annual payments to correspond with the diminished earnings is a more equitable basis for determining the amount of such payment. Such a law is now in force, and with certain amendments thereto, which are herein recommended, the provisions of the Thurman Act, in my judgment, will be found to justify the expectations of its framers in furnishing a satisfactory solution of an embarrassing problem.

The more important legal questions which have arisen during the period of its operation have all been settled. No embarrassing decision complicates or disturbs the determination of any question. The differences arising from conflicting interpretations, such as the earnings of the Omaha bridge, the interest paid on the bridge bonds, and the earnings of the Pullman Car Company, are differences of accounting only, and will, when decided, be promptly adjusted.

I have, therefore, the honor to recommend that the Thurman Act be amended in the following particulars, to wit:

(1) To embrace within its provisions all of the Pacific railroads which have received from the United States a loan of its bonds in aid of construction.

(2) To provide that 50 per cent of the net earnings be retained instead of 25, as at present.

(3) To extend the debt until the same shall have been discharged, as herein provided.

(4) To further provide that if any of the companies abandon any portion of the subsidized lines or divert their business from a subsidized to an unsubsidized road, the said company shall, in such case, be required to transfer the lien and condition which attached to the old or subsidized line to the new and unsubsidized line, in order that the rights and interests of the United States may be protected.

An incorporation into the law of the foregoing features will, it is confidently believed, hasten the payment of the companies' indebtedness, especially as they are anxious to be freed from governmental supervision and control.

In connection therewith, I have also the honor to renew the recommendations heretofore submitted, namely:

That the act of June 19, 1878, creating this Bureau be further amended by providing that the so-called bonded roads transmit all accounts for transportation services rendered the Government, including the carrying of the mails, through this Bureau to the proper accounting officers of the Treasury; and that all disallowances or differences in said accounts found by the accounting officers upon settlement be reported to this Bureau before final payment or allowance of the same; and that this Bureau report to the Treasury Department what changes, if any, are required in the payment or disposal of the moneys so found to be due the said companies.

This recommendation, first proposed by the Auditor of Railroad Accounts in 1879, was renewed by my predecessor and strongly indorsed by the then Secretary of the Interior. A bill in accordance therewith was passed unanimously by the Senate, but failed of consideration by the House.

The anomalous methods of accounting, in respect of the matter under consideration, which were then in vogue were not changed by the system recommended for adoption by the Dockery Commission and authorized by the Fifty-third Congress.

The present Auditor for the Treasury Department takes cognizance of moneys due the railroad companies by the Government, but not of moneys due the Government by the railroad companies. Nor is anyone empowered by law to bring such accounts together as a whole, which will be necessary before a final settlement can be made. The advantage of lodging such authority somewhere would, among other things, obviate the necessity for bringing suits in the Court of Claims to recover amounts due for transportation.

I have also the honor to recommend that the Secretary of the Treasury be requested to direct the transfer, by counter warrant, of the sum of $871,511.99 from the sinking fund of the Union Pacific Railway Company to the bond and interest account, in accordance with an explanation of the reason therefor to be found in another part of this report (under "Union Pacific Railway").

Should the recommendation contained herein with reference to amending the Thurman Act not meet with favor, I have the honor to renew, as an alternative proposition, the recommendation contained in my first report, as follows:

I would recommend the appointment by the President of a commission with full power to settle the indebtedness of the bond-aided Pacific railroad companies to the Government on terms which shall be honorable to the companies and just to the United States. The appointment of such a commission was urged by my predecessor and recommended by President Harrison; and in view of the many and complex questions involved in the final settlement of all differences between the Government and the companies, I regard it as of the utmost importance that such action should be taken.

It would be difficult, if not impossible, for a satisfactory adjustment of all the grave questions which must necessarily be considered to be arrived at by so large a body as Congress, pressed as the Members always are in the ordinary discharge of

their public duties; nor is it probable that any agreement could be reached which, while protecting the vast interests of the Government, would be just and equitable to the railroad companies concerned. * * *

ESTIMATES FOR 1896-1897.

Under section 2 of the act of June 19, 1878, the following official force was provided for:

An Auditor, at a salary of	$5,000
One bookkeeper, at a salary of	2,400
One assistant bookkeeper, at a salary of	2,000
One clerk, at a salary of	1,400
One copyist, at a salary of	900

There was also an appropriation of $2,000 for traveling expenses. In the following year a railroad engineer was added at a salary of $2,000, which was subsequently increased to $2,500. Other changes were made from time to time. The salary of the Auditor was reduced to $4,500, a clerk of class 3 was substituted for a clerk of class 2, the traveling expenses were increased to $3,000, and an assistant messenger was provided for.

The estimates submitted by me for the fiscal year ending June 30, 1897, have been made as small as possible consistent with a proper performance of the functions of the office. They are as follows:

Commissioner	$4,500
One bookkeeper	2,000
One assistant bookkeeper	1,800
One clerk of class 2 to act as private secretary to the Commissioner	1,400
One clerk	1,000
One assistant messenger	720
Traveling expenses	1,000
Total	12,420

The position of railroad engineer having been abolished by Congress, his duties are devolved upon the Commissioner.

PERSONNEL OF THE BUREAU NOVEMBER 1, 1895.

Wade Hampton, Commissioner	$4,500
Francis E. Storm, bookkeeper	2,000
Lewis W. Haskell, assistant bookkeeper	1,800
Charles E. Thomas, clerk, assigned to duty as private secretary to the Commissioner	1,400
Miss Kate Schmidt, clerk	1,000
Henry Braxton, assistant messenger	720

APPENDIXES AND TABLES.

The following appendixes and tables are annexed to this report:

Appendix A contains the principal laws of Congress, with index, relating to both the bond-aided and land-grant railroads.

Appendix B contains abstracts of the decisions of the Supreme Court in cases affecting the bond-aided Pacific railroad companies, and to which the United States are parties.

Appendix C contains the names and addresses of the Government directors of the Union Pacific Railway Company, appointed by the President.

Table No. 1 shows the amount of bonds issued in aid of Pacific railroads, the interest paid thereon by the United States, and the amounts repaid by the several companies to June 30, 1895.

Table No. 2 shows the condition of the sinking funds on June 30, 1895.

Table No. 3 shows the amounts found due the United States by the Union Pacific Railway Company, under the provisions of the Thurman Act, from July 1, 1878, to December 31, 1894.

Table No. 4 shows the amounts found due the United States by the Central Pacific Railroad Company, under the provisions of the Thurman Act, from July 1, 1878, to December 31, 1894.

Table No. 5 shows a statement of account between the Central Branch Union Pacific Railroad Company and the United States, under the acts of 1862 and 1864, to December 31, 1894.

Table No. 6 shows a statement of account between the Sioux City and Pacific Railroad Company and the United States, under the acts of 1862 and 1864, to December 31, 1894.

Table No. 7 shows the grants of land by Congress to railroad companies coming under the provisions of the act of June 19, 1878, the number of acres patented to and forfeited by the companies, and the number of acres restored to the public domain.

Table No. 8 shows the amount of bonds issued to the several Pacific railroad companies and to whom delivered, with the date of issue, maturity, beginning of interest, and the number of miles aided.

The annual reports of State railroad commissioners and Poor's Manual of Railroads have been the authorities consulted in the preparation of a preliminary history of the railroad companies coming under the jurisdiction of the Bureau and considered in this report.

ATLANTIC AND PACIFIC RAILROAD COMPANY.

(ATCHISON, TOPEKA AND SANTA FE RAILROAD COMPANY.)

This company was chartered by Congress July 27, 1866, to construct a railroad from the Mississippi River to the Pacific Ocean on the thirty-fifth parallel.

The road passed under the control of the Atchison, Topeka and Santa Fe Railroad Company (which see) by the latter's purchase of the capital stock of the St. Louis and San Francisco Railway Company. For the purpose of securing an extension of its line from the Rio Grande to the Pacific Ocean the Atchison entered into a contract with the St. Louis and San Francisco, whereby the latter transferred to the former, without cost to it, one-half of the share capital of the Atlantic and Pacific, up to that time wholly owned by the St. Louis and San Francisco.

The Mojave Division of the Southern Pacific Railroad is held under a contract of purchase and lease, dated August 20, 1884, by the terms of which this company agrees to purchase the line when the present mortgage, due in April, 1905, is paid off, at the price of $30,000 per mile. Until the title is clear this company leases the road, paying as rental $436,266

yearly, being $1,800 per mile, such rental being guaranteed by the Atchison and San Francisco companies. By decree of court the company passed into the hands of receivers on December 23, 1893.

By act of Congress approved July 27, 1866, the Atlantic and Pacific Company received from the United States a grant of 42,000,000 acres of land. Springfield, Mo., via Canadian River, Albuquerque, the Agua Fria and Colorado rivers, and the Pacific Ocean are the land-grant termini.

The records of the General Land Office show that to June 30, 1895, there had been patented to the company:

	Acres.
In the Territory of Arizona	373,099.38
In the Territory of New Mexico	335,424.09
Total	708,523.47

The records of the General Land Office also show that by the act of July 6, 1886, there had been forfeited 10,795,480 acres located in California and New Mexico, and that 3,290,000 acres of railroad indemnity lands, located in Arkansas, Arizona, California, and New Mexico, had been restored to the public domain, and that under date of July 13, 1886, by decision of the Commissioner, affirmed by the Secretary of the Interior, 1,500,000 acres of land, located in California, had also been restored.

The company makes the following report of the operations of its land department:

	Acres.
Acquired by United States patent	708,523.47
Disposed of for cash	708,042.67
Owned by company	480.80

The total cash receipts from all sales to date amounted to $3,936,406.75; average price per acre, 80 cents. The receipts during the year were $59,193.82 and the expenses $34,966.79.

The main line of road extends from Albuquerque, N. Mex., to Mojave, Cal., and from Seneca, Mo., to Sapulpa, Ind. T., a distance of 915.89 miles. The company also owns 12.34 miles of branch lines and operates 12.69 miles under trackage rights, a total of 940.92 miles operated. There are 91.13 miles of sidings on the main line; a total length of track of 1,032.05 miles.

The additions and betterments to railway during the year amounted to $67,707.86, all of which was charged to construction account. The additions and betterments to rolling stock amount to $253,403.78, and was charged to equipment account. There were 1,260 tons of new steel rails laid during the year, at a cost of $33,733.56, and 446,269 new oak, pine, and redwood cross-ties placed in the track, at a cost of $196,331.63. There are 175 miles of board and barbed-wire fencing and 1,013.35 miles of steel and 8 miles of iron rail.

At the end of the year there were 18 passenger, 48 freight, and 2 switching locomotives; total 68, of which 66 were equipped with West-

inghouse and automatic brakes. In the passenger service there were 9 first-class, 4 mail, baggage, and express, and 2 officers' cars; total 15. In the freight service there were 150 box, 66 stock, 210 coal, 264 flat, and 45 caboose cars; total 735. In the road and miscellaneous service there were 5 station, 2 dump, 46 boarding, 6 wrecking, and 73 water cars; also 2 derricks and 2 snow flanges.

The express business on the company's lines is transacted by the Wells-Fargo Company under contract. The Pullman Palace Car Company runs its cars over the company's lines on a mileage basis. Contracts and agreements for the billing of freight and the carrying of through passengers have been entered into with other companies, as follows: Southern Pacific; Atchison, Topeka and Santa Fe; St. Louis and San Francisco, and California Southern Railway companies.

Telegraphic service on the company's lines is performed by the Western Union and the Postal Telegraph companies under contract.

The following statements show the financial condition of the company on June 30, 1895:

ASSETS.

Cost of road, fixtures, and equipment	$121,979,720.99	
Land contracts, land cash, etc	64,497.47	
Fuel, material, and stores on hand	194,508.33	
Miscellaneous investments	105,000.00	
Equipment leases	693,000.00	
Bills receivable	25,000.00	
Accounts receivable	258,810.78	
Due from other companies on account of traffic	148,359.55	
Due from United States, unsettled accounts	69,437.10	
Bad debts or suspense accounts	90,681.10	
Cash on hand	58,073.79	
Total		$123,687,089.11

LIABILITIES.

First-mortgage bonds	18,794,000.00	
Interest on same, due and accrued	1,504,830.00	
Other funded debt	20,119,629.00	
Interest on same, due and unpaid	869,610.00	
Interest on same, accrued, not due	110,000.00	
Loans and bills payable	13,094,078.08	
Pay rolls and vouchers	838,475.38	
Called bonds	100,000.00	
Accrued rental and expenses not yet due	119,807.48	
Taxes accrued, not yet due	46,415.14	
Interest on unfunded debt	4,597,609.48	
Equipment lease warrants	693,000.00	
Total debt	60,887,454.56	
Capital stock	79,760,300.00	
Total stock and debt		140,647,754.56
Deficit		16,960,665.45

Revenue and expenditures for year ended June 30, 1895.

REVENUE.		
Earnings	$3,508,237.90	
Receipts of the land department	59,193.82	
Total		$3,567,431.72
EXPENDITURES.		
Operating expenses	3,177,551.86	
Interest on first-mortgage bonds	751,760.00	
Interest on other funded debt	330,000.00	
Interest on other debt	795,784.97	
Rental of Mojave Division	436,266.00	
Expenses of the land department	34,966.79	
Total		5,526,329.62
Deficit		1,958,897.90

Comparative statement of the earnings and expenses of the Atlantic and Pacific Railroad Company.

	Year ended—		Difference.	
	June 30, 1895.	June 30, 1894.	Increase.	Decrease.
EARNINGS.				
Passenger	$705,560.31	$849,145.68		$143,585.37
Freight	2,431,206.87	1,927,102.96	$504,103.91	
Mail	140,669.02	125,110.19	15,558.83	
Express	164,835.15	167,470.72		2,635.57
Miscellaneous	65,966.55	68,900.27		2,933.72
Total	3,508,237.90	3,137,729.82	370,508.08	
EXPENSES.				
Maintenance of way and structures	718,983.75	673,850.49	45,133.26	
Maintenance of equipment	471,210.48	569,374.55		98,164.07
Conducting transportation	1,762,768.12	1,559,686.39	203,021.73	
General expenses and taxes	224,649.51	341,347.20		116,697.69
Total	3,177,551.86	3,144,258.63	33,293.23	
Net loss		6,528.81		
Net earnings	330,686.04		337,214.85	
Miles operated	942.94	946.84		3.90
Earnings per mile	$3,720.53	$3,313.89	$406.64	
Expenses per mile	3,369.83	3,320.79	49.04	
Net loss per mile		6.90		
Net earnings per mile	350.70		357.60	
Percentage of expenses to earnings	90.57	100.20		9.63

ATCHISON, TOPEKA AND SANTA FE RAILROAD COMPANY.

The Atchison and Topeka Railroad Company was chartered under the general laws of the State of Kansas February 11, 1859, and changed its name to the present title March 3, 1863. The original line of road extended from Atchison, Kans., to the west line of Kansas, a distance of 470.58 miles.

The following information relating to the affairs of the system is found in Poor's Manual, 1895, pages 923 and 924:

Default on January, 1894, interest being assured, the company asked for the appointment of receivers, and on December 23, 1893, J. W. Reinhart, of Boston,

J. J. McCook, of New York, and J. C. Wilson, of Topeka, were appointed receivers. Subsequently the first-named resigned, and Aldace F. Walker was appointed in his stead in September, 1894.

Committees have been appointed, both here and abroad, to look after the interests of the bondholders, and similar committees have been chosen by the bondholders of the St. Louis and San Francisco, Colorado Midland, and Atlantic and Pacific.

The following railroads of the system are now (June, 1895) in the hands of the above-named receivers: Atchison, Topeka and Santa Fe Railroad and leased lines, St. Louis and San Francisco Railway, and Atlantic and Pacific Railroad. Separate receiverships have been appointed for the following subsidiary lines: Colorado Midland Railway, G. W. Ristine; the St. Louis, Kansas City and Colorado Railroad, A. E. Sherwood; the Wichita and Western Railway, J. H. McIntire; the Manhattan, Alma and Burlingame Railway, H. P. Dillon, and the Leavenworth, Topeka and Southwestern Railway, C. T. McClellan; while the Gulf, Colorado and Santa Fe Railway, the Southern California Railway, the Sonora Railway, the New Mexico and Arizona Railroad, the Rio Grande and El Paso Railroad, and the Southern Kansas Railway of Texas are being operated by the respective corporations, of which Aldace F. Walker is president.

This company's finances are now being reorganized under the terms of a plan dated March 14, 1895, which provides for the foreclosure of the general mortgage of October 15, 1889, and other mortgages if deemed advisable, and for the issue of the following new securities: (*a*) $102,000 000 common stock of $100 shares; (*b*) $111,486,000 5 per cent noncumulative preferred stock of $100 shares; (*c*) $96,990,582 general mortgage 4 per cent 100-year gold bonds, due October 1, 1995, interest April 1 and October 1, and (*d*) 4 per cent 100-year adjustment bonds, issue limited to $51,728,310, interest payable if earned, noncumulative up to July 1, 1900, and cumulative after that date.

By the act of Congress approved March 3, 1863, the company received from the United States, through the State of Kansas, a grant of 3,000,000 acres of land. Atchison, Kans., and State line, Kansas and Colorado; Lawrence, Kans., and south boundary of Kansas, near Coffeyville, are the land-grant termini.

The records of the General Land Office show that to June 30, 1895, there had been patented to the company 2,934,522.86 acres. By the same act a grant of 800,000 acres was made to the Leavenworth, Lawrence and Galveston Railroad Company (now the Atchison, Topeka and Santa Fe). The records of the General Land Office also show that to June 30, 1895, there had been patented to the latter company 69,104.95 acres.

The company makes the following report of the operations of its land department:

		Acres.
Acquired by United States patent		2,934,659.68
Acquired by cancellation of contracts		453,854.35
Total		3,388,514.03
Disposed of for cash	1,542,630.75	
Disposed of on time contracts	1,814,751.16	
Reverted to United States (see Poor's Manual, 1895, p. 332)	6,641.07	
Owned by company	24,491.05	
		3,388,514.03

The total cash receipts from all sales to date had amounted to $12,099,827.73, and there remained outstanding on account of time sales the sum of $46,319.15. The receipts during the year were $7,216.76, and the expenses $9,909.88. The average price per acre for all sales to date had been $3.82, and the average price per acre now asked is $10.

The main line of road extends from Chicago, Ill., to New Mexico and the Texas State line, a distance of 1,595.10 miles. The company also owns and leases 2,907.02 miles of branch lines; a total of 4,582.12 miles operated, of which 4,139.02 miles are laid with steel. There are 16.02 miles of double track, 439.92 miles of sidings on the main line, and 432.72 miles of sidings and trackage rights on the branch lines; a total length of track of 5,470.78 miles. There are 2,324.69 miles of barbed wire fencing.

During the year 10,179 tons of steel rails were laid, at a cost of $254,487, and 1,732,482 new oak, cedar, and pine cross-ties were placed in the track, at a cost of $677,709.77. The additions and betterments to railway during the year amounted to $923,058.54, and to rolling stock $63,624.81. The assessed valuation of the former for taxation was $29,419,705, and of the latter $6,554,898.

At the end of the year the equipment consisted of 348 passenger, 434 freight, and 82 switching locomotives; total, 864, of which 849 were equipped with automatic brakes. There were 4 parlor, 14 dining, 69 chair, 207 first-class, 47 second-class, 8 observation, 18 mail, 62 bag gage, 14 express, 116 combination, and 10 officers' cars; a total of 569 cars in the passenger service, all of which were equipped with Westinghouse brakes and Miller couplers and platforms. In the freight service there were 12,004 box, 3,345 stock, 8,176 coal, 1,773 flat, 193 combination, 809 refrigerator, 609 fruit, and 384 caboose cars; total, 27,293. In the road and miscellaneous service there were 3 flangers, 9 derricks, 13 pile drivers, and 3 steam shovels; also 350 dump, 1 boarding, 10 water, 4 oil, 829 hand, and 814 push cars, together with 3 snowplows and 1 scale tester.

The express business over the company's lines is transacted by the Wells-Fargo Company, the latter paying a certain percentage of the gross earnings from business, with a guaranty that such percentage shall not be less than a fixed amount per annum. The Pullman Palace Car Company runs its cars over the company's lines on a mileage basis contingent upon the amount of business, the payment of a fixed mileage rate ceasing when the receipts by the former, from the sale of seats and berths, shall exceed a certain amount per annum.

Sundry contracts and agreements have been entered into with various companies and associations for the transportation and interchange of freight and passengers, the ticketing of the latter, the issuance of joint rates and regulations pertaining thereto, etc. Leases for use of tracks and terminal facilities have been entered into as follows: With the Kansas City Belt; Toledo, Peoria and Western; Chicago and

Western Indiana; Chicago and Grand Trunk, and the Fremont, Elkhorn and Missouri Valley railroad companies.

The following statements show the financial condition of the company on June 30, 1895:

ASSETS.

Cost of road, property, franchise, and equipment	$226,716,866.88	
Property in auxiliary roads represented by bonds and stocks pledged	89,735,723.63	
Real estate other than road	1,873,404.64	
Improvements—auxiliary companies	3,637,021.90	
Fuel, material, and stores on hand	691,039.21	
Company's stocks and bonds	7,030,012.50	
Other stocks and bonds	12.468,157.00	
Miscellaneous investments	17,883,816.50	
Equipment trust bonds	125,000.00	
Bills receivable	485,051.72	
Accounts receivable	4,117,835.13	
Bonds and stocks of consolidated companies pledged under general mortgage	164,490,922.18	
Income bonds in trust, Union Trust Company of New York, trustee	78,803,100.00	
Bad debts, or suspense accounts	81,867.95	
Cash on hand	310,484.79	
Total		$608,450,304.03

LIABILITIES.

General mortgage bonds	129,320,776.55	
Interest on same, due and accrued	10,292,272.23	
Other funded debt	103,003,057.20	
Interest on same, due and unpaid	4,169,392.36	
Interest on same, accrued, not due	864,957.68	
Dividends unpaid	985.25	
Loans and bills payable	6,485,751.95	
Accounts payable	694,746.81	
Pay rolls and vouchers	2,324,302.66	
Due other companies on account of traffic	139,204.61	
Called bonds	13,000.00	
Equipment lease warranted	353,895.73	
Accrued obligations not yet due	669,349.74	
Adjustment account, St. Louis and San Francisco Railway Company s curities	1,250,000.00	
Stocks and bonds of consolidated com nies in trust	167,077,900.00	
Income bonds in trust	78,803,100.00	
Total debt	505,462,692.77	
Capital stock	102,000,000.00	
Total stock and debt		607,462,692.77
Surplus for year (including $974,104.42 income in suspense)		987,611.26

Revenue and expenditures for year ended June 30, 1895.

REVENUE.

Earnings	$20,318,040.66	
Dividends on stocks of other companies	372,855.19	
Interest on bonds of other companies	37,542.00	
Profits on miscellaneous investments	25,735.23	
Receipts of the land department	7,216.76	
Net revenue from separately operated roads forming part of the system	1,203,137.64	
Total		$21,964,527.48

EXPENDITURES.

Operating expenses	17,134,441.04	
Interest on general mortgage bonds	5,134,630.00	
Interest on other funded debt	3,633,199.13	
Interest on other debt	466,325.60	
Losses on miscellaneous investments	19,401.60	
Expenses of the land department	9,909.88	
Total		26,397,907.25
Deficit		4,433,379.77

Comparative statement of the earnings and expenses of the Atchison, Topeka and Santa Fe Railroad Company.

	Year ended—		Difference.	
	June 30, 1895.	June 30, 1894.	Increase.	Decrease.
EARNINGS.				
Passenger	$4,054,648.73	$5,295,116.21	.....	$1,240,467.48
Freight	13,954,740.57	15,002,791.14	.....	1,048,050.57
Mail	718,100.68	681,725.14	$36,375.54	.....
Express	783,373.04	795,023.60	.....	11,650.56
Miscellaneous	807,177.64	362,330.63	444,847.01	.....
Total	20,318,040.66	22,136,986.72	.....	1,818,946.06
EXPENSES.				
Maintenance of way and structures	3,691,186.31	3,461,899.55	229,286.76	.....
Maintenance of equipment	2,269,173.64	2,345,050.69	.....	75,877.05
Conducting transportation	9,072,469.21	8,058,401.87	1,014,067.34	.....
General expenses and taxes	2,101,611.88	3,216,532.29	.....	1,114,920.41
Total	17,134,441.04	17,081,884.40	52,556.64	.....
Net earnings	3,183,599.62	5,055,102.32	.....	1,871,502.70
Miles operated	4,582.12	4,582.12	.....	.....
Earnings per mile	$4,434.20	$4,831.17	.....	$396.97
Expenses per mile	3,739.41	3,727.95	$11.46	.....
Net earnings per mile	694.79	1,103.22	.....	408.43
Percentage of expenses to earnings	84.33	77.16	7.17	.....

CENTRAL PACIFIC RAILROAD COMPANY.

(SOUTHERN PACIFIC COMPANY.)

This company includes the Western Pacific Railroad Company, with which it was consolidated November 2, 1869; the California and Oregon, the San Francisco, Oakland and Alameda, and the San Joaquin

Valley Railroad companies, the consolidation with the latter three dating from August 22, 1870.

The company's lines were leased to the Southern Pacific Company for ninety-nine years from April 1, 1885; this lease was subsequently modified by agreement bearing date January 1, 1888, and on January 1, 1894, it was still further revised and changed by the parties thereto (for copy of lease see Report of Commissioner of Railroads for 1894, page 24 et seq.), the new lease to run for ninety years. By its terms the party of the second part is to pay from the earnings of the road all expenses of operation, fixed and other charges, including sinking fund and United States requirements, and $10,000 yearly for organization expenses. Under its operations the party of the first part will receive all the net earnings of the company up to 6 per cent of the stock, any excess of net earnings above that amount to be divided equally between the two companies.

Under "Southern Pacific System" (Central Pacific Railroad, leased line) Poor's Manual, 1895, page 815, contains the following:

> It is reported that an arrangement has recently been made whereby the Southern Pacific guarantees a minimum of 1 per cent yearly on the stock of this company until satisfactory legislation has been obtained for the adjustment of the debt to the Government, when the dividend will be increased to 2 per cent for a guaranteed period of two years. Payments will be made half yearly, the first on July 1, 1895.

The Central and Western Pacific railroads of California were chartered by Congress July 1, 1862. The subsidy in Government bonds was at the rate of $16,000, $32,000, and $48,000 per mile, the first-named sum being the estimated cost of construction to the mountains, the second between the mountains, and the third over the mountains.

The subsidy bonds issued by the United States to aid in the construction of these two roads amounted to $27,885,680, and the interest thereon to June 30, 1895, to $45,111,858.14. There had been repaid by the company, in transportation services, cash, and interest on sinking-fund investments, the sum of $15,233,355.87, making a net liability to the Government on that date of $57,734,182.27. The excess of interest paid by the United States over all credits amounted to $29,878,502.27. The amount found due the United States by the company under the acts of 1862, 1864, and 1878, for the year ended December 31, 1894, was $14,925.72 in excess of 1893.

By the acts approved July 1, 1862, July 2, 1864, and July 25, 1866, the companies which form the Central Pacific Railroad Company received from the United States grants of land in aid of construction as follows:

	Acres.
Central Pacific	8,000,000
Western Pacific	1,000,000
Oregon Branch Central Pacific (California and Oregon)	3,500,000
Total	12,500,000

Ogden, Utah, and Sacramento, Cal.; Brighton and Niles, Cal.; Niles and San Jose, Cal., junction with Central Pacific Railroad and the

southern boundary of Oregon are the land-grant termini. The records of the General Land Office show that to June 30, 1895, there had been patented by the United States to the—

	Acres.
Central Pacific Railroad Company:	
In the State of California	600,903.44
In the State of Nevada	545,798.74
In the Territory of Utah	438,985.13
Western Pacific Railroad Company:	
In the State of California	448,130.65
Oregon Branch Central Pacific Railroad Company:	
In the State of California	1,856,401.91
Total	3,890,219.87

The report of the company shows that to June 30, 1895, there had been acquired by United States patent to the—

	Acres.
Central Pacific Railroad Company	1,582,620.62
California and Oregon Railroad Company	1,856,642.11
Total	3,439,262.73

That there had been disposed of—

	Acres.
For cash	725,964.54
On time contracts and agreements	2,216,853.39
Total	2,942,817.93
Less acreage surrendered	198,349.97
Net	2,744,467.96

There are no data in possession of the company showing the number of acres patented to date, the number of acres sold from the same, nor remaining unsold.

The report of the company also shows that the total cash receipts from all sales of land to date amount to $9,831,910.34. The receipts during the year were $141,989.61, and the expenses $162,525.55. There remained outstanding on account of time sales:

Principal	$957,010.11
Interest	6,258.80
Total	963,268.91

The average price per acre for all sales to date has been $3.50, and the average price per acre now asked is $3.

The main line of this road extends from Oakland Wharf, California, to Ogden, Utah, with branches from Roseville Junction to the Oregon State line, Lathrop to Goshen, and from Niles northward to Oakland and southward to San Jose, Cal. The aided portion of the line extends from Ogden to Sacramento, thence via Niles to San Jose, a distance of 860.66 miles, and is subject to the requirements of law with respect to the payment of a percentage of its net earnings to the United States. (See History of Union Pacific Railway.) The total length of road, including branches, is 1,359.65 miles, and the total length of track, including sidings, 1,701.57 miles.

The additions and betterments to the railway during the year amounted to $24,060.37, all of which were charged to income account and paid by the lessee company. The additions and betterments to rolling stock during the same period, amounting to $19,227.11, were charged to equipment and paid in like manner as the additions and betterments to the railway.

There were also added during the year 2,608 tons of steel rails, at a cost of $112,381.62, and 415,328 new redwood, pine, fir, and cedar cross-ties were placed in the track, at a cost of $184,820.96.

At the end of the year the equipment consisted of 271 passenger and 25 switching locomotives, all equipped with Westinghouse brakes. In the passenger service there were 4 dining, 28 sleeping, 43 second-class sleeping, 152 first-class, 22 second-class, 16 baggage, mail, and express, 17 mail, 24 baggage, 6 express, 18 combination, and 10 officers' cars, a total of 340 cars, all equipped with Westinghouse brakes and Miller platforms. In the freight service there were 1,986 box, 45 furniture, 285 coal, 1,621 flat, 1,494 combination, 19 refrigerator, 406 fruit, and 116 caboose cars, a total of 5,972 cars in the freight service. In the road and miscellaneous service there were 8 derricks, 41 station, 78 dump, and 19 water cars; also 4 snowplow tenders, 27 snowplows, and 9 wrecking-car tenders. There were 1,080 miles of single-line fencing and 31.98 miles of snowsheds.

The assessed valuation of roadway, bridges, track, buildings, and equipment for purposes of taxation was $23,374,516, an average of $17,192 per mile.

The properties of the company from Ogden, Utah, to San Jose, Cal., including roadbed, track, bridges, buildings, shops, etc., were inspected by the Commissioner in June and July of the current year, and they were found to be in excellent physical condition.

The express business on the company's lines is transacted by Wells, Fargo & Co., under contract. Special contracts for lease of track have been entered into with several companies whose roads are operated by the Central Pacific Railroad Company at an annual rental and on a mileage basis.

The following statements show the financial condition of the company on June 30, 1895, and the amount found due the United States for the year ended December 31, 1894, under the acts of 1862, 1864, and 1878. Other statistics pertaining to the company will be found in the tables and appendixes attached to this report.

Comparative statement of funded debt of the Central Pacific Railroad Company, June 30, 1895, and 1894.

Character of bonds.	Term of bonds.		Rate of interest.	Amount of bonds outstanding—		Difference.		Lien.
	Years.	Date of maturity.		June 30, 1895.	June 30, 1894.	Increase.	Decrease.	
Central Pacific Railroad Company.								
First mortgage, series A	30	1895	6	$2,995,000	$2,995,000	.....	.....	Road and franchise, Sacramento to State line.
B	30	1896	6	1,000,000	1,000,000	.....	.....	Do.
C	30	1896	6	1,000,000	1,000,000	.....	.....	Do.
D	30	1896	6	1,383,000	1,383,000	.....	.....	Do.
E	30	1897	6	3,997,000	3,997,000	.....	.....	Road and franchise, California State line to 5 miles west of Ogden.
F	30	1898	6	3,999,000	3,999,000	.....	.....	Do.
G	30	1898	6	3,999,000	3,999,000	.....	.....	Do.
H	30	1898	6	3,999,000	3,999,000	.....	.....	Do.
I	30	1898	6	3,511,000	3,511,000	.....	.....	Do.
United States subsidy, second mortgage	30	1895–1898	6	25,885,120	25,885,120	.....	.....	Road and franchise, Sacramento to 5 miles west of Ogden.
First mortgage, series A, California and Oregon, extended.	30	1918	5	5,982,000	5,982,000	.....	.....	Road and franchise, Roseville Junction to Oregon State line.
First mortgage, series B, California and Oregon, extended.	26	1918	5	4,358,000	4,358,000	.....	.....	Do.
Land-grant bonds, extended	10	1900	5	2,647,000	2,765,000	.....	$118,000	First mortgage Central Pacific and California and Oregon lands.
Fifty-year bonds	50	1936	6	56,000	56,000	.....	.....	Lands granted by United States and all other property except aided.
Do	50	1939	5	12,283,000	12,173,000	$110,000	.....	Lands granted and all other property.
Western Pacific Railroad Company.								
Old issue	30	1895	6	111,000	111,000	.....	.....	Road and franchise, Sacramento to San Jose.
First mortgage, series A	30	1899	6	1,859,000	1,859,000	.....	.....	Do.
B	30	1899	6	765,000	765,000	.....	.....	Road and franchise, Niles to Oakland.
United States subsidy, second mortgage	30	1895–1898	6	1,970,560	1,970,560	.....	.....	Road and franchise, Sacramento to San Jose.
San Joaquin Valley Railroad Campany.								
First mortgage	30	1900	6	6,080,000	6,080,000	.....	.....	Road and franchise, Lathrop to Goshen.
Total	.....	.....	.....	87,879,680	87,887,680	.....	8,000	

The additions and betterments to the railway during the year amounted to $24,060.37, all of which were charged to income account and paid by the lessee company. The additions and betterments to rolling stock during the same period, amounting to $19,227.11, were charged to equipment and paid in like manner as the additions and betterments to the railway.

There were also added during the year 2,608 tons of steel rails, at a cost of $112,381.62, and 415,328 new redwood, pine, fir, and cedar cross-ties were placed in the track, at a cost of $184,820.96.

At the end of the year the equipment consisted of 271 passenger and 25 switching locomotives, all equipped with Westinghouse brakes. In the passenger service there were 4 dining, 28 sleeping, 43 second-class sleeping, 152 first-class, 22 second-class, 16 baggage, mail, and express, 17 mail, 24 baggage, 6 express, 18 combination, and 10 officers' cars, a total of 340 cars, all equipped with Westinghouse brakes and Miller platforms. In the freight service there were 1,986 box, 45 furniture, 285 coal, 1,621 flat, 1,494 combination, 19 refrigerator, 406 fruit, and 116 caboose cars, a total of 5,972 cars in the freight service. In the road and miscellaneous service there were 8 derricks, 41 station, 78 dump, and 19 water cars; also 4 snowplow tenders, 27 snowplows, and 9 wrecking-car tenders. There were 1,080 miles of single-line fencing and 31.98 miles of snowsheds.

The assessed valuation of roadway, bridges, track, buildings, and equipment for purposes of taxation was $23,374,516, an average of $17,192 per mile.

The properties of the company from Ogden, Utah, to San Jose, Cal., including roadbed, track, bridges, buildings, shops, etc., were inspected by the Commissioner in June and July of the current year, and they were found to be in excellent physical condition.

The express business on the company's lines is transacted by Wells, Fargo & Co., under contract. Special contracts for lease of track have been entered into with several companies whose roads are operated by the Central Pacific Railroad Company at an annual rental and on a mileage basis.

The following statements show the financial condition of the company on June 30, 1895, and the amount found due the United States for the year ended December 31, 1894, under the acts of 1862, 1864, and 1878. Other statistics pertaining to the company will be found in the tables and appendixes attached to this report.

Comparative statement of the financial condition of the Central Pacific Railroad Company June 30, 1895 and 1894—Continued.

	Year ended—		Difference.	
	June 30, 1895.	June 30, 1894.	Increase.	Decrease.
LIABILITIES—continued.				
Accounts payable	$650,327.01	$248,693.97	$401,633.64	.....
Trustees land-grant mortgage	579,248.79	524,759.42	54,489.37	.....
Sinking funds uninvested	15,857.07	101,361.38	.....	$85,504.31
Total debt	135,006,576.62	134,255,719.78	750,856.84	.....
Capital stock	67,275,500.00	68,000,000.00	.....	724,500.00
Total stock and debt	202,282,076.62	202,255,719.78	26,356.84	.....
Surplus	.....	581,893.85	.....	1,174,179.70
Deficit	592,285.85	.....	.....	.....

NOTE.—Under "liabilities" in above statement is included the item of interest on United States subsidy bonds paid by the United States to June 30, 1895, $45,111,858.15. This represents the amount of interest accrued to date on the subsidy bonds and payable by the Government to the bondholders; but it is not due from the company until the maturity of the bonds except so far as paid under the terms of the Thurman Act, and so is not entered currently on the books of the company.

In addition to the "assets" shown above, the company owns the lands granted by the United States to aid in the construction of the road and which now remain unsold. The value of these lands can not be closely determined or satisfactorily estimated.

The company claims a credit in its general balance sheet of $15,339,421.02 for transportation services rendered and cash payments to the United States; but the following statement, compiled from reports furnished this office by the Treasury Department of settled accounts, cash payments, and interest on sinking-fund investments to June 30, 1895, shows a difference on that date of $115,432.15, as follows:

Credits claimed by the company			$15,339,421.02
Bond and interest account:			
Transportation	$7,353,330.38		
Cash	658,283.26		
		$8,011,613.64	
Sinking-fund account:			
Transportation	4,413,011.03		
Interest	2,165,371.72		
Cash	633,992.48		
		7,212,375.23	
			15,223,988.87
Difference			115,432.15

Statement of amount due the United States by the Central Pacific Railroad Company under the acts of 1862, 1864, and 1878, for the year ended December 31, 1894.

EARNINGS.

United States:		
Passenger	$27,768.70	
Freight	51,039.19	
Mail	468,526.26	
		$547,334.15
Commercial:		
Passenger	2,198,968.54	
Freight	5,428,316.85	
Miscellaneous	81,694.38	
		7,708,979.77
Total earnings		8,256,313.92

EXPENSES.

Maintenance of way and structures	$1,112,035.39	
Maintenance of equipment	879,507.64	
Conducting transportation	2,712,558.07	
General expenses and taxes	833,697.80	
Total expenses	5,537,798.90	
Interest on first-mortgage bonds	1,671,180.00	
Total expenses under act of May 7, 1878		$7,208,978.90
Net earnings		1,047,335.02
Twenty-five per cent of net earnings		261,833.75

DUE THE UNITED STATES.

One-half Government transportation, as above	273,667.07
Five per cent of net earnings	52,366.75
Credit of bond and interest account	326,033.82
One-half Government transportation, as above, credit of sinking-fund account	273,667.08
Total for year	599,700.90

Comparative statement of the earnings and expenses of the Central Pacific Railroad Company.

	Year ended—		Difference.	
	June 30, 1895.	June 30, 1894.	Increase.	Decrease.
EARNINGS.				
Passenger	$3,708,268.95	$4,551,389.55	.....	$843,120.60
Freight	7,848,614.42	7,758,650.03	$89,964.39	.....
Mail	638,258.34	556,370.78	81,887.56	.....
Express	242,168.91	175,708.50	66,460.41	.....
Miscellaneous	499,836.18	489,258.25	10,577.93	.....
Total	12,937,146.80	13,531,377.11	.....	594,230.31
EXPENSES.				
Maintenance of way and structures	1,588,262.57	1,702,489.42	.....	114,226.85
Maintenance of equipment	1,279,367.23	1,185,555.18	93,812.05	.....
Conducting transportation	4,388,323.58	4,512,549.96	.....	124,226.38
General expenses and taxes	1,368,581.61	1,419,706.67	.....	51,125.06
Total	8,624,534.99	8,820,301.23	.....	195,766.34
Net earnings	4,312,611.81	4,711,075.88	.....	398,464.07
Miles operated	1,359.65	1,359.65	.....	.....
Earnings per mile	$9,514.50	$9,952.10	.....	.....
Expenses per mile	$6,343.20	$6,487.18	.....	.....
Net earnings per mile	$3,171.30	$3,464.92	.....	.....
Percentage of expenses to earnings	66.66	65.18	.48	.....

CENTRAL BRANCH UNION PACIFIC RAILROAD COMPANY.

This company was chartered by special act of the legislature of the Territory of Kansas, approved February 11, 1859, as the Atchison and Pike's Peak Railroad Company. The act conferred upon the company all the powers, conditions, and provisions of "An act to incorporate the

Atchison and Fort Riley Railroad Company," approved February 17, 1857. On January 1, 1867, the name of the company was changed to that of the Central Branch Union Pacific Railroad Company. It was included in the acts of 1862 and 1864, incorporating the Union Pacific Railroad Company, being provided for as one of the branches.

The main line of the road extends from Atchison to Waterville, Kans., a distance of 100 miles; there are also 25.64 miles of sidings on the main line. The Atchison, Colorado and Pacific Railroad, 254.79 miles, and the Atchison, Jewell County and Western Railroad, 33.40 miles, are also leased by this company, making a total length of track of 413.83 miles owned and leased. The capital stock of the company is $1,000,000, of which $874,200 is owned by the Union Pacific Railway Company. The road is operated by the Missouri Pacific Railway Company under a twenty-five-year lease, from September 30, 1885, the net earnings going to the Union Pacific as rental.

Subsidy bonds were issued by the United States to aid in the construction of this road between Atchison and Waterville, Kans., to the amount of $1,600,000. The interest paid thereon to June 30, 1895, amounted to $2,701,808.26. There had been repaid by the company, in transportation services and cash, the sum of $632,719.17, leaving a liability to the Government on that date of $3,669,089.09. The excess of interest paid by the United States over all credits amounted to $2,069,089.09.

By the acts of Congress approved July 1, 1862, and July 2, 1864, this company received from the United States 781,944.83 acres of land. The records of the General Land Office show that to June 30, 1895, there had been patented to the company 218,250.08 acres.

The company makes the following meager report of the operations of its land department: Receipts during the year, $1,487.74; expenses, $99.62; amount outstanding on account of time sales, $6,297.25; miscellaneous lands disposed of for cash, $400; on time contracts, $2,800. The additions and betterments to railway and rolling stock are effected through expense accounts, no improvement account being kept. During the year 29,801 oak cross-ties were placed in the track, at a cost of $13,968.42. There are 180 miles of barbed-wire fencing.

The assessed valuation of roadway, bridges, track, buildings, etc., for taxation, is $737,937, and of rolling stock and equipment, $62,137.93.

At the end of the year the equipment consisted of 11 passenger, 22 freight, and 2 switching locomotives; total, 35; of which 17 were equipped with Westinghouse and 4 with American brakes. In the passenger service there were 9 first-class, 1 second-class, 9 combination, 3 baggage, and 1 officers' car, a total of 23. In the freight service there were 348 box, 95 stock, 45 coal, 36 flat, and 19 caboose cars, a total of 543. In the road-repair and miscellaneous service there were 6 dump, 4 boarding, 4 wrecking, 81 hand, and 75 push cars.

The express business over the company's lines is transacted by the Pacific Express Company, under a contract dated May 1, 1886, by

which the railroad company receives a percentage of the gross earnings. The telegraph business is transacted by the Western Union Company, under contract dated July 1, 1881.

The following statements show the financial condition of the company on June 30, 1895, the amount found due the United States for the year ended December 31, 1894, under the acts of 1862 and 1864, and the earnings and expenses for the fiscal year:

LIABILITIES.

First-mortgage bonds	$2,230,000.00	
Interest on same, due and accrued	212,195.00	
United States subsidy bonds	1,600,000.00	
Interest on same, paid by United States	2,701,808.26	
Accounts payable	1,877,837.16	
Receivers, Central Branch Union Pacific	64,673.45	
Total	8,686,513.87	
Capital stock	1,000,000.00	
Total stock and debt		$9,686,513.87

ASSETS.

Cost of road, fixtures, and equipment	3,998,119.76	
Receivers, United States earnings suspense account	64,801.32	
Land contracts	6,297.25	
Receivers, Central Branch Union Pacific Railroad Company property account	32,578.76	
Due from United States on account of transportation	657,364.08	
Total		4,759,161.17
Deficit		4,927,352.70

Revenue and expenditures for year ended June 30, 1895.

REVENUE.

Earnings	$302,862.55	
Interest and income from miscellaneous investments	7,382.04	
Receipts of the land department	89.76	
Total		$310,334.35

EXPENDITURES.

Operating expenses	233,650.15	
Taxes	31,265.52	
Interest on first-mortgage bonds accrued	80,000.00	
Interest on other funded debt	36,750.00	
Losses on leased lines	375,660.02	
Other expenditures	131.52	
Expenses of the land department	99.62	
United States requirement	10,003.57	
Total		767,560.40
Deficit		457,226.05

Statement of amount due the United States by the Central Branch Union Pacific Railroad Company, under the acts of 1862 and 1864, for the year ended December 31, 1894.

EARNINGS.

United States:		
Passenger	$21.30	
Freight	4.23	
Mail	16,108.06	
		$16,133.59
Commercial:		
Passenger	58,558.17	
Freight	291,079.06	
Express	3,981.58	
Miscellaneous, including rent	6,407.40	
		360,026.21
Total earnings		376,159.80

EXPENSES.

Maintenance of way and structures	53,302.19	
Maintenance of equipment	14,991.47	
Conducting transportation	169,721.59	
General expenses	14,907.62	
Taxes	31,477.40	
Total operating expenses		284,400.27
Net earnings		91,759.53
Five per cent of net earnings		4,587.98

DUE THE UNITED STATES.

One-half Government transportation, as above	8,066.79
Five per cent of net earnings, act of 1862	4,587.98
Total for year	12,654.77

Comparative statement of the earnings and expenses of the Central Branch Union Pacific Railroad Company.

	Year ended—		Difference.	
	June 30, 1895.	June 30, 1894.	Increase.	Decrease.
EARNINGS.				
Passenger	$61,151.61	$64,239.71	.....	$3,088.10
Freight	215,495.35	356,846.95	.....	141,351.60
Mail	16,353.84	15,862.28	$491.56	.....
Express	3,654.10	4,106.56	.....	452.46
Miscellaneous	6,207.65	7,087.75	.....	880.10
Total	302,862.55	448,143.25	.....	145,280.70
EXPENSES.				
Maintenance of way and structures	57,006.87	54,796.97	2,209.90	.....
Maintenance of equipment	25,974.42	45,962.04	.....	19,987.62
Conducting transportation	135,980.76	150,711.75	.....	14,730.99
General expenses	14,688.10	29,535.14	.....	14,847.04
Total	233,650.15	281,005.90	.....	47,355.75
Net earnings	69,212.40	167,137.35	.....	97,924.95
Miles operated	100	100	.....	.....
Earnings per mile	$3,028.62	$4,481.43	.....	$1,452.81
Expenses per mile	2,336.50	2,810.06	.....	473.56
Net earnings per mile	692.12	1,671.37	.....	979.25
Percentage of expenses to earnings	77.14	62.70	14.44	.....

CHICAGO, BURLINGTON AND QUINCY RAILROAD COMPANY.

The first work of construction on the line of the present system was a branch from Turner Junction, on the Galena and Chicago Union Railroad (now the Chicago and Northwestern Railway), a point 30 miles west of Chicago, south to Aurora a distance of 13 miles. This work was begun by the Chicago and Aurora Railroad Company, under a charter from the State of Illinois, June 22, 1852. This company and the Central Military Track Railroad Company were consolidated July 1, 1856, under the name of the present company. Subsequent consolidations were effected as follows: Peoria and Burlington Railroad (formerly Peoria and Oquawka and Logansport, Peoria and Burlington), June 24, 1864; Quincy and Chicago (formerly Northern Cross), July 30, 1865; Burlington and Missouri River Railroad in Iowa, July 31, 1875; Burlington and Missouri River Railroad in Nebraska, January 1, 1880; Republican Valley Railroad, March 1, 1887.

By the act of Congress approved May 15, 1856, there were granted by the United States to the State of Iowa, to aid in the construction of this road between Burlington and the Missouri River, 948,643.66 acres of land, and by the act of July 2, 1864, to the Burlington and Missouri River Railroad in Nebraska, assignee of the Burlington and Missouri River Railroad Company in Iowa, now forming part of what is known as the "Q system," 2,441,600 acres; a total of 3,390,243.66 acres.

Burlington, Iowa, and Missouri River, Iowa, at East Plattsmouth, via Pacific Junction; Plattsmouth, Nebr., and Kearney Junction, Nebr., are the land-grant termini.

The records of the General Land Office show that to June 30, 1895, there had been patented to the Burlington and Missouri River Railroad Company in the State of Iowa, 389,014.08 acres and in the State of Nebraska 2,373,290.77 acres, a total of 2,762,304.85 acres.

The company makes the following report of the operations of its land department:

		Acres.
Acquired by United States patent		2,373,870.77
By patent from State of Nebraska		50,000.00
Total		2,423,870.77
Disposed of for cash and on time contracts	2,379,272.28	
Reclaimed by United States	720.00	
Owned by company	43,878.49	
		2,423,870.77

The total cash receipts from all sales to date had amounted to $11,128,143.81, and the amount outstanding on account of time sales to $449,794.39, principal and interest. The receipts during the year were $89,695.10, and the expenses $16,169.05. The average price per acre for all sales to date had been $4.83, and the average price per acre now asked is $4.

The main line of road extends from Chicago, Ill., via Pacific Junction, to Denver, Colo., a distance of 1,024.20 miles. The company also

owns and leases 4,707.62 miles of branch lines; a total of 5,731.8 operated. There are 294.88 miles of double and 30.26 miles c track; 521.17 miles of sidings on the main line, and 629.35 miles ings on the branches; a total length of track of 7,207.48 miles, o 5,927.51 miles are laid with steel.

During the year additions and betterments to railway amou $1,345,346.38, and to rolling stock $48,094.81. At the end of tl the equipment consisted of 875 locomotives, all equipped with W house brakes; 1 parlor, 11 dining, 471 passenger, 179 mail, ba and express, 77 combination, and 10 officers' and pay cars; a t 749 cars in the passenger service, all equipped with Westin brakes, and 746 with Miller and Janney platforms and couplers. freight service there were 18,607 box, 4,704 stock, 3,649 coal, 3,2 439 refrigerator, and 396 caboose cars; total, 31,050. In the ro miscellaneous service there were 11 derricks and 17 road cars.

The express business on the company's lines is transacted Adams Express Company under contract. Pullman sleeping c run over the company's lines. The telegraph service is perfor the Western Union Company under contract for a period of twe years from 1872. Sundry leases and agreements have been ma other companies for use of bridges, tracks, and depots.

The following statements show the financial condition of tl pany on June 30, 1895, including the earnings and expenses Burlington and Missouri River Railroad in Nebraska:

ASSETS.

Cost of road and fixtures	$202,895,322.10	
Real estate, other than road	718,283.25	
Fuel, material, and stores on hand	1,257,544.88	
Stocks and bonds owned	38,648,800.13	
Sinking fund	9,229,750.17	
Miscellaneous investments	2,452,199.78	
Cash on hand and current assets	7,945,473.85	
Total		$263,14

LIABILITIES.

Bonds	127,714,400.00	
Interest on same, accrued, not due	74,560.38	
Current liabilities	5,707,522.67	
Sinking funds	14,512,137.90	
Renewal fund	9,000,000.00	
Current accounts, balance	293,955.35	
Income account	9,278,490.41	
Total	166,581,066.71	
Capital stock	82,004,200.00	
Total stock and debt		248,58
Surplus		14,56

Revenue and expenditures for year ended June 30, 1895.

REVENUE.

Earnings	$23,632,170.97	
Dividends on stocks of other companies	983,291.30	
Interest on bonds of other companies	808,906.39	
Receipts of the land department	89,695.10	
Total		$25,514,063.76

EXPENDITURES.

Operating expenses, including taxes	15,979,885.90	
Interest on mortgage bonds	6,598,134.00	
Dividends	3,485,114.75	
Expenses of the land department	16,169.05	
Other deductions from income	955,006.44	
Total		27,034,310.14
Deficit		1,520,246.38

Comparative statement of the earnings and expenses of the Chicago, Burlington and Quincy Railroad Company.

	Year ended—		Difference.	
	June 30, 1895.	June 30, 1894.	Increase.	Decrease.
EARNINGS.				
Passenger	$5,522,417.91	$7,512,303.12	.....	$1,989,885.21
Freight	15,101,834.26	17,199,397.74	.....	2,097,563.48
Mail	1,251,169.11	1,247,455.57	$3,713.54	.....
Express	738,800.00	739,800.00	.....	1,000.00
Miscellaneous	1,017,949.69	778,929.37	239,020.32	.....
Total	23,632,170.97	27,477,885.80	.....	3,845,714.83
EXPENSES	15,979,885.90	16,868,027.92	.....	888,142.02
Net earnings	7,652,285.07	10,609,857.88	.....	2,957,572.81
Miles operated	5,731.82	5,595.71	136.11	.....
Earnings per mile	$4,122.97	$4,910.52	.....	$787.55
Expenses per mile	2,787.92	3,014.45	.....	226.53
Net earnings per mile	1,335.05	1,896.07	.....	561.02
Percentage of expenses to earnings	67.51	61.39	4.12	.....

CHICAGO, MILWAUKEE AND ST. PAUL RAILWAY COMPANY.

The president, by advice of counsel, declining to submit a report of the operations of this company for the fiscal year ended June 30, 1893, it became the duty of the Commissioner of Railroads, under the provisions of the act of June 19, 1878 (20 Stat. L., 169), to report the fact of such refusal to the Secretary of the Interior for reference by him to the Attorney-General for the institution of the necessary legal proceedings to recover the penalty prescribed by section 5 of the act referred to.

Under date of March 6, 1894, the Commissioner of Railroads was advised by the Department of Justice, through the Department of the Interior, that the United States attorney at Milwaukee had been directed to bring suit accordingly. On October 16, 1894, the Commissioner of Railroads was further advised, as before, that the case of the

United States *v.* The Chicago, Milwaukee and St. Paul Railway Company for failure to report to his office as required by law would probably come up for argument of demurrer at the October term of the circuit court.

On October 31, 1895, the Commissioner of Railroads was still further advised, in the manner aforesaid, that the case coming on to be heard, the demurrer by the defendant to the complaint of the United States was sustained by the circuit court of the United States for the eastern district of Wisconsin, whereupon, under date of September 16, 1895, it was carried by writ of error to the United States circuit court of appeals, where it was pending at the date of this report. In the record is contained the opinion of the court below, from which it appears that the demurrer was sustained upon the ground that the act in question was not intended to embrace roads of the character concerned in said action (the defendant and those whose rights it had acquired), they not being grantees of the United States in respect to lands received in aid of their construction, the grants being directly from the State.

The Milwaukee and St. Paul Railway, of which this company is the successor, was chartered by the State of Illinois May 5, 1863. It owned 1,399 miles of railroad and a majority interest in the Western Union Railroad Company, having 212.75 miles in operation. The present company was organized in April, 1872. It subsequently constructed and acquired 6,411 miles of road, so that, on June 30, 1895, there were 7,810 miles of track in operation. The main line of road extends from Chicago, Ill., to Minneapolis, Minn., a distance of 420 miles.

Under a contract made in 1890 to run for a period of nine hundred and ninety-nine years, the company secured an equal right to the use of the Union Pacific tracks from Council Bluffs, Iowa, to Omaha, Nebr., including the use of the bridge over the Missouri River at Omaha and of the Union passenger station in Omaha.

By the acts of Congress approved March 3, 1857, May 12, 1864, and July 4, 1866, lands were granted by the United States through the States of Iowa and Minnesota to aid in the construction of the following roads forming part of the present system:

	Acres.
McGregor and Missouri River	1,536,000.00
Minnesota Central	643,403.00
Hastings and Dakota	550,000.00
Southern Minnesota	794,619.45
Total	3,524,022.45

The records of the General Land Office show that to June 30, 1895, there had been patented to the—

	Acres.
Chicago, Milwaukee and St. Paul	186,706.77
McGregor and Missouri River	138,187.30
Minnesota Central	179,706.01
Hastings and Dakota	355,565.77
Southern Minnesota	509,992.69
Total	1,370,158.54

St. Paul via Mendota or St. Paul Junction, Faribault, Austin, and Lyle, Minn.; Minneapolis via same route and Lyle, Minn.; Calmar, Iowa, and Sheldon, Iowa, junction with Chicago, St. Paul, Minneapolis and Omaha, St. Paul and Sioux City Division; Hastings, Minn., and Ortonville, at western boundary of the State; Mississippi River (La Crescent) opposite La Crosse, Wis., and Houston, Minn.; and Houston, Minn., and Airlee, on western boundary of Minnesota, are the land-grant termini.

The thirty-first annual report of the directors of the company to the stockholders, for the fiscal year ended June 30, 1895, contains no information relating to the land department, but Poor's Manual, 1895, page 413, furnishes the following:

Land department.—Number of acres owned in Iowa and Minnesota on July 1, 1893, was 4,707.39; sold during the year, 2,098.52 acres; on hand June 30, 1894, 2,608.87 acres; estimated value of unsold lands, $13,044.35; balance due on land previously sold, $66,251.20; total, June 30, 1894, $79,295.55.

The following information relating to the affairs of this company has been compiled from the directors' report previously mentioned.

At the end of the year there were in the equipment service:

	Gauge.	
	Standard.	Narrow.
Locomotives	829	7
Passenger cars	411	3
Baggage, postal, mail, and express cars	279	6
Sleeping cars	53	.....
Parlor cars	16	.....
Dining cars	8	.....
Freight cars—		
Box	18,180	203
Stock	2,587	59
Flat, coal, ore, and dump	5,831	49
Refrigerator	488	.....
Caboose	457	5
Wrecking, tool, etc	72	.....
Total	29,211	332
	.....	29,543

The amount expended for the replacement of 572 cars, reported short, worn out, wrecked, and otherwise destroyed during this and previous years ($260,610), is charged to operating expenses and appears in the company's general balance sheet as "rolling-stock replacement fund."

The expenditures for rolling stock during the year amounted to $54,905.12. There were constructed 46 iron bridges, aggregating 3,229 feet in length, replacing an equal number of wooden bridges, at a cost of $906,204.40, of which $660,332.97 was charged to expense account and $245,871.43 to improvement account.

There are also under construction, as above, 47 iron bridges, aggregating 3,848 feet in length.

In addition to the foregoing the following statements show the financial condition of the company on June 30, 1895:

EARNINGS.		
Freight	$18,978,262.89	
Passenger	5,852,781.16	
Mails, express, etc	2,504,325.14	
Total		$27,335,369.19
EXPENSES.		
Conducting transportation	8,348,158.08	
Maintenance of way and structures	3,703,465.61	
Maintenance of rolling stock	2,085,309.46	
Taxes	1,084,700.45	
All other	1,822,119.49	
Total		17,043,753.09
Net earnings		10,291,616.10

The results of operation, as compared with the previous year, show a decrease of net earnings amounting to $922,002.20.

The total amount of funded debt June 30, 1895, was $139,321,000, and of capital stock, $72,184,161.

There remained in the treasury, or was due from trustees, bonds to the amount of $4,618,000.

There were no bills payable outstanding.

Income account for the fiscal year ended June 30, 1895.

Balance at credit June 30, 1894		$6,521,040.08
Dubuque Division sinking fund, years 1887 to 1894, inclusive	$525,000.00	
Dividend No. 49, payable October 22, 1894, from net earnings of fiscal year ended June 30, 1894:		
Three and one-half per cent on $25,973,900, preferred stock	909,086.50	
Two per cent on $46,027,261, common stock	920,545.22	
Old accounts charged off	113,425.81	
		2,468,057.53
Balance July 1, 1894		4,052,982.55
Gross earnings	27,335,369.19	
Less operating expenses (including taxes)	17,043,753.09	
Net earnings	10,291,616.10	
Income from other sources	134,647.04	
Net revenue for the year		10,426,263.14
Total		14,479,245.69
Interest accrued during the year on funded debt	7,629,377.07	
Dividend No. 50, payable April 19, 1895, from net earnings of fiscal year ended June 30, 1895:		
Three and one-half per cent on $25,991,900, preferred stock	909,716.50	
One per cent on $46,027,261, common stock	460,272,61	
		8,999,366.18
Balance at credit June 30, 1895		5,479,879.51

General balance sheet.

LIABILITIES.

Funded debt	$139,321,000.00	
Wisconsin Valley Division and Dubuque Division sinking fund	669,680.00	
Rolling stock replacement fund	260,610.00	
Pay rolls and vouchers	1,574,465.79	
Due sundry companies and individuals	867,820.46	
Dividends unclaimed	43,384.12	
Interest coupons not presented	53,624.33	
Interest accrued, including interest due July 1	3,582,251.25	
Income account	5,479,879.51	
Total debt	151,852,715.46	
Capital stock, preferred	26,156,900.00	
Capital stock, common	46,027,261.00	
Total stock and debt		$224,036,876.46

ASSETS.

Cost of road and equipment	211,168,036.96	
Bonds, stock, etc., of other companies	956,739.12	
Sinking funds:		
Vice-president in special trust for Dubuque Division and Wisconsin Valley Division sinking funds	588,300.00	
New England Trust Company, trustee Dubuque Division and Wisconsin Valley Division sinking funds	81,380.00	
United States Trust Company, trustee	16,751.85	
Farmers' Loan and Trust Company, trustee	409.08	
Insurance department	10,000.00	
Stock of material and fuel	1,743,013.52	
Mortgage bonds of the company, unsold, held in its treasury or due from trustees	3,529,000.00	
Milwaukee and Northern Railroad Company, 6 per cent consolidated bonds, unsold, held in the treasury of this company	1,089,000.00	
Stock of the company held in its treasury	4,770.00	
Due from agents, conductors, etc	280,114.59	
Due from sundry companies and individuals	906,145.66	
Due from United States Government	271,491.79	
Loans and bills receivable	600,000.00	
Cash on hand	2,791,723.89	
Total		224,036,876.46

CHICAGO AND NORTHWESTERN RAILWAY COMPANY.

This company was chartered in Illinois February 9, 1859, and in Wisconsin March 14, 1859. On June 2, 1859, the property and franchises of the Chicago, St. Paul and Fond du Lac Railroad Company were purchased at public auction at Janesville, Wis., for the sum of $240,000.

As at present organized the company was incorporated June 6, 1869. It owns the entire share capital of the Fremont, Elkhorn and Missouri

Valley Railroad Company; also that of the Milwaukee, Lake Shore and Western Railway Company, and a majority interest in the Sioux City and Pacific and the Chicago, St. Paul, Minneapolis and Omaha railway companies. On September 1, 1893, the Milwaukee, Lake Shore and Western Railway Company was merged into the Chicago and Northwestern Railway Company, and is now operated as the Ashland Division. By consolidation and purchase the company has acquired 3,782.29 miles of road. It has also a proprietary interest in 1,188.47 miles of road, which, with 60.02 miles leased, makes a total of 5,030.78 miles owned, leased, and operated.

Following are the grants of land made in aid of construction to the roads forming part of the present system:

Date of act.	Name of road.	Land grant.
		Acres.
June 3, 1856 July 5, 1862 Mar. 3, 1865	Chicago and Northwestern	1,165,575.76
Mar. 3, 1857 Mar. 3, 1865	Winona and St. Peter	1,410,000.00
May 15, 1856	Cedar Rapids and Missouri River	1,298,739.00
June 3, 1856 May 5, 1864	Chicago, St. Paul, Minneapolis and Omaha	2,173,706.43
Mar. 3, 1857 May 12, 1864	St. Paul and Sioux City	1,010,000.00
May 12, 1864	Sioux City and St. Paul	524,800.00
July 2, 1864	Sioux City and Pacific	60,000.00
	Total	7,642,821.19

Winona, Minn., to a point on the Big Sioux River six-tenths of a mile west of Watertown Station; Cedar Rapids, Iowa, to the transfer grounds, Union Pacific Railway; and branch, Lyons, Iowa, to Clinton, Iowa, are the land-grant termini.

The records of the General Land Office show that of the foregoing grants lands had been patented to June 30, 1895, as follows:

	Acres.
Cedar Rapids and Missouri River	919,142.57
Chicago, St. Paul, Minneapolis and Omaha	2,166,436.10
St. Paul and Sioux City	1,157,048.52
Sioux City and St. Paul	407,910.21
Sioux City and Pacific	41,398.23
Winona and St. Peter	1,676,787.31
Chicago and Northwestern	1,073,551.08
Total	7,442,277.02

The records of the General Land Office also show that 125,000 acres of railroad indemnity lands, located in Wisconsin, belonging to the Chicago, St. Paul, Minneapolis and Omaha Railway Company, had been restored; and that on the recommendation of the Commissioner, affirmed by the Secretary of the Interior, 26,017.33 acres, located in Iowa, belonging to the Sioux City and St. Paul Railroad Company, were also restored to the public domain under date of September 12, 1887.

The company makes the following report of the operations of its land department to June 30, 1895:

	Acres.	
Congressional grant of lands in Wisconsin	397,476.29	
By patent from State of Minnesota	1,753,833.42	
By patent from State of Michigan	804,104.85	
By deed from St. Paul and Sioux City Railroad Company	159.84	
By partition of lands	1.70½	
By decree of court, Blue Earth, Minn	3,377.52	
By deed from Southern Minnesota Railroad Company	60.00	
By deeds canceled	281.32	
By cancellation of contracts	122,992.35	
Correction of plat, Dry Lakes, Minnesota	125.50	
Total		3,082,412.79½
Number of acres disposed of for cash	2,191,582.04½	
Number of acres disposed of by decree of court	182,031.30½	
Number of acres disposed of by failure of title (Michigan)	120.00	
Number of acres disposed of by correction of plats	69.74½	
Owned by company	708,609.70	
Total		3,082,412.79½

The total cash receipts from all sales to date had amounted to $7,870,828.87, and there remained outstanding, on account of time sales, the sum of $1,123,513.91, the interest not being credited till paid. The receipts during the year were $327,078.89 and the expenditures $53,101.54. The average price per acre for all sales to date had been $3.14. The average price per acre now asked is not given, the lands not having all been appraised.

The main line of the road extends from Chicago, Ill., to Council Bluffs, Iowa, a distance of 491 miles. There are 393.78 miles of double track and 1,562.52 miles of sidings.

The expenditures during the year, for additions and betterments to railway system, amounted to $586,283.40, and to rolling stock, $90,352.47. There were purchased during the year 110 refrigerator cars.

At the close of the year the equipment consisted of 1,010 locomotives, of which 958 were equipped with Westinghouse brakes; 22 parlor, 9 dining, 2 buffet, 26 chair, 479 first-class, 44 second-class, 39 milk, 31 mail, 149 baggage and express, 76 combination, and 8 officers' cars, a total of 885 cars in the passenger service, all of which were equipped with Westinghouse brakes and Chicago and Miller platforms.

In the freight service there were 19,221 box, 2,881 stock, 3,250 coal, 3,645 flat, 498 refrigerator, 5,153 ore, and 546 caboose cars, a total of 35,194 cars in this service, of which 16,245 were equipped with Westinghouse brakes and 14,816 with Janney and Chicago couplers. In the road-repair service there were 36 derrick and wrecking, 94 dump, gravel, and construction, and 26 boarding cars; also 3 steam snowplows.

There were 14,357 tons of steel rails laid during the year, at a cost of $385,548.80, and 1,103,846 new oak and cedar cross-ties placed in the track, at a cost of $408,899.78.

The express business over the company's lines is transacted by the American Express Company. The Wagner palace cars are run over the company's lines, the latter paying mileage for their use. The company runs its own parlor and dining cars.

Sundry contracts and agreements have been entered into with other companies at various times for joint use of tracks and terminal facilities, and with the Union Pacific Railway Company for the establishment of a certain joint through line.

The following statements show the financial condition of the company on June 30, 1895:

ASSETS.

Cost of road, fixtures, and equipment	$182,520,142.67	
Real estate and property other than road	684,834.05	
Land-grant investments	466,925.00	
Fuel, material, and stores on hand	1,672,131.37	
Company's stocks and bonds owned by company	11,104,080.39	
Other stocks and bonds, including bonds held as collateral for bonds of the Chicago and Northwestern Railway Company issue	26,804,354.60	
Trustees of sinking fund; payments and accretions thereto	7,213,926.20	
Bills receivable	21,818.58	
Accounts receivable	2,156,802.11	
Cash on hand	2,675,390.57	
Total		$235,320,405.54

LIABILITIES.

First-mortgage bonds and other funded debt	131,659,500.00	
Interest on same, due and unpaid	343,063.52	
Interest on same, accrued, not due	1,596,907.64	
Purchase account; bonds on hand, etc	8,508,000.00	
Dividends unpaid	9,506.50	
Dividends declared payable July 5, 1895	976,648.50	
Accounts payable	29,760.00	
Pay rolls and vouchers	1,665,165.68	
Due other companies on account of traffic	263,990.00	
Due other companies on account of leases	6,000.00	
Sinking funds; installments paid	6,142,236.20	
Accretions to sinking funds	1,071,690.00	
Missouri Valley and Blair Railway and Bridge Company	1,268,346.52	
Securities for capital stock issued	2,334,267.09	
Securities retired and canceled from income	1,141,000.00	
Total debt	157,016,081.65	
Capital stock	66,528,820.53	
Total stock and debt		223,544,902.18
Surplus		11,775,503.36

Revenue and expenditures for year ended June 30, 1895.

REVENUE.

Earnings	$28,203,378.46	
Dividends on stocks of other companies	533,185.00	
Interest on bonds of other companies	1,031.95	
Interest on miscellaneous investments	25,874.22	
Receipts of the land department	384,823.98	
Total		$29,148,293.61

EXPENDITURES.

Operating expenses and taxes	18,412,928.61	
Interest on funded debt	6,999,425.53	
Rentals	15,887.46	
Sinking fund and guaranteed interest	368,022.54	
New construction	586,283.40	
New equipment	90,352.47	
Dividends Nos. 82, 83, 84, and 85, preferred, and 41 and 42, common, 1894-95	3,125,546.00	
Expenses of the land department	93,639.11	
Lands purchased	1,089.40	
		29,693,174.52
Deficit		544,880.91

Comparative statement of the earnings and expenses of the Chicago and Northwestern Railway Company.

	Year ended—		Difference.	
	June 30, 1895.	June 30, 1894.	Increase.	Decrease.
EARNINGS.				
Passenger	$7,091,093.95	$9,109,388.84	.....	$2,018,294.89
Freight	19,536,598.39	21,184,457.04	.....	1,647,858.65
Mail	731,045.11	719,982.81	$11,062.30	.....
Express	566,571.96	484,275.83	82,296.13	.....
Miscellaneous	278,069.05	182,805.81	95,263.24	.....
Total	28,203,378.46	31,680,910.33	.....	3,477,531.87
EXPENSES.				
Maintenance of way and structures	3,243,210.84	4,115,442.97	.....	872,232.13
Maintenance of equipment	2,420,255.15	2,625,190.99	.....	204,935.84
Conducting transportation	11,082,331.63	11,671,299.25	.....	588,967.62
General expenses and taxes	1,667,130.99	2,536,095.05	.....	868,964.06
Total	18,412,928.61	20,948,028.26	.....	2,535,099.65
Net earnings	9,790,449.85	10,732,882.07	.....	942,432.22
Miles operated	5,030.78	5,030.78	.....	.....
Earnings per mile	$5,606.16	$6,297.41	.....	$691.25
Expenses per mile	3,660.05	4,163.97	.....	503.92
Net earnings per mile	1,946.11	2,133.44	.....	187.33
Percentage of expenses to earnings	65.28	66.12	.....	0.84

CHICAGO, ROCK ISLAND AND PACIFIC RAILWAY COMPANY.

In consequence of the failure of this company to submit a report of its operations for the fiscal year ended June 30, 1893, it became the duty of the Commissioner of Railroads, under the provisions of the act of June 19, 1878 (20 Stat. L., 169), to report the fact of such failure to the Secretary of the Interior for reference by him to the Attorney-General for the institution of the necessary legal proceedings to recover the penalty prescribed by section 5 of the act referred to.

Under date of May 12, 1894, the Commissioner of Railroads was advised by the Department of Justice, through the Department of the Interior, that the United States attorney for the northern district of Illinois had been directed to bring suit accordingly, which suit is still pending.

In like manner the company has failed to submit, on the form prescribed by this Bureau, reports of its operations for the years ended June 30, 1894 and 1895, respectively.

The original charter in Illinois was granted February 27, 1847, as the Rock Island and La Salle Railroad Company. By charter granted February 7, 1851, the name of the road was changed to the Chicago and Rock Island. In 1852 a company for the extension of the line from the Mississippi to the Missouri River was chartered in Illinois, under the name of the Mississippi and Missouri Railroad Company, and a line from Chicago to the Mississippi River opened July 10, 1854. These companies were consolidated August 22, 1866, as the Chicago, Rock Island and Pacific Railroad Company. On June 4, 1880, this company was consolidated with the South Chicago Branch, the Washington Branch, the Iowa Southern and Missouri Northern Railroad, the Atchison Branch, the Indianola Branch, the Newton and Monroe Railroad, the Atlantic Southern Railroad, the Avoca, Macedonia and Southwestern Railroad, and the Atlantic and Audubon Railroad, forming the Chicago, Rock Island and Pacific Railway Company.

By the act of Congress approved May 15, 1856, there were granted by the United States, through the State of Iowa, to the Mississippi and Missouri Railroad Company 1,261,181.60 acres of land.

Davenport, Iowa, and the transfer grounds, Union Pacific Railway, are the land grant termini.

The records of the General Land Office show that to June 30, 1895, there had been patented to the company by the Government 420,507.34 acres of land.

Poor's Manual of Railroads, 1895, contains the following information with regard to the company's land department:

		Acres.
Received under the Congressional grant		550,193.51
Sold to March 31, 1894	548,608.83	
Unsold April 1, 1894	1,584.68	
		550,193.51

The following information relating to the affairs of the company is compiled from the fifteenth annual report of the directors to the stockholders:

Land department for the fiscal year ended March 31, 1895.

Payments:		
Taxes		$575.32
On account of land grant		15,576.92
Total		16,152.24
Receipts:		
Sales by warranty (377 acres)	$6,071.55	
Quitclaims issued (215 acres)	251.25	
Total (592 acres)		6,322.80
Difference, deficit		9,829.44

The unsold lands now amount to 1,247.17 acres, excluding all tracts of doubtful title, and the acreage subdivided into town lots.

The main line of road extends from Chicago, Ill., to Council Bluffs, Iowa, a distance of 499.62 miles.

The principal branch lines owned are as follows:

	Miles.
Davenport, Iowa, to Atchison, Kans	341.84
South Omaha, Nebr., to Jansen, Nebr	107.05
Elwood, Kans., to Liberal, Kans	439.54
Herington, Kans., to Terral, Ind. T	349.07
Horton, Kans., to Roswell, Colo	568.65
McFarland, Kans., to Bellville, Kans	103.98

Other branch lines, 470.95 miles in length, make a total of 2,880.70 miles owned.

The company also leases 352.66 miles, and has trackage rights over 338.05 miles, an aggregate of 3,571.41 miles of road operated.

At the end of the year there were in the equipment service 47 sleeping, 305 passenger, 81 baggage, mail, and express, 11 railway-postal, 12 dining, 6 business and paymasters' cars, a total of 462 cars in the passenger service. In the freight service there were 10,357 box, 2,399 live-stock, 2,765 platform and coal, 367 drovers, caboose, and other cars, a total of 15,888 cars in the freight service. There were also 1,481 gravel, hand, and other cars used in repairs of roadway, track, and bridges.

The cost of all repairs and replacements were charged to operating expenses, which show a decrease of $2,291,899.54, or 16.21 per cent as compared with the previous year.

During the year pile and trestle bridges aggregating over 21,000 feet in length have been replaced by permanent work or filled with earth, at a cost of $197,288, charged as above. New depots have been built at Udell, Iowa, and Round Pond and South Enid, Okla. A grain elevator has been built at Indianola, Iowa. Track scales have been placed at Du Bois and South Bend, Nebr., and Ramona, Kans., and pumping stations have been erected at West Liberty and Evans, Iowa, and Herington, Kans., while improvements to water supply have been made at

Dwight, Montrose, and Lebanon, Kans., Bethune and Calhan, Colo., and Hennessey, Okla.

Under an ordinance passed by the city council of Chicago July 9, 1894, this company was required to elevate its tracks between Sixteenth and Seventy-second streets, the work to be completed by August 1, 1899. The expense for that portion of the work between Sixteenth street and Englewood (Sixty-first street) will be borne equally by this company and the Lake Shore and Michigan Southern Railway Company.

Work was commenced August 15, 1894, and at the close of that year had been completed from Sixteenth street to south of Twenty-third street, at a cost to this company of $139,567.03. This amount includes $50,000 paid to the city of Chicago as a contribution toward the liabilities for land or business damages which may be incurred by reason of the elevation of the tracks, which liabilities by the ordinance the city of Chicago assumes. Work was discontinued during the winter, but was resumed again in April, and is progressing satisfactorily. It is contemplated to build about 2 miles this year. The total length of the elevated track when completed will be about 7 miles. By this improvement trains will be enabled to make better time through the city and avoid grade crossings, which in the past have imposed large expense in their maintenance as well as in the way of damages for injuries to persons and property.

Condensed balance sheet April 1, 1895.

LIABILITIES.

Six per cent mortgage coupon bonds	$4,655,000.00
Six per cent mortgage registered bonds	7,845,000.00
Five per cent extension coupon bonds	35,467,000.00
Five per cent extension registered bonds	5,245,000.00
Five per cent debenture coupon bonds	4,455,000.00
Five per cent debenture registered bonds	45,000.00
Chicago and Southwestern Railway bonds, guaranteed	5,000,000.00
Addition and improvement account	8,213,000.00
Accounts payable	617,529.16
Profit balance to income account	1,582,038.84
Capital stock, fixed $50,000,000, amount issued	46,155,800.00
Fractional scrip outstanding convertible into stock	200.00
Total liabilities	119,280,568.00

ASSETS.

Cost of road and equipment, including all branch roads owned by the company	$103,380,434.32	
Cost of track elevation at Chicago	139,567.03	
Cost of railroad bridge at Rock Island	815,896.32	
Capital stock and bonds of connecting roads	6,109,487.05	
Loans and other investments	565,432.21	
Advances made to the Chicago, Rock Island and Texas Railway Company as per agreement dated January 2, 1893	1,956,961.43	

Chicago, Rock Island and Pacific Railway Company capital stock on hand	$12,100.00	
Chicago, Rock Island and Pacific Railway Company 6 per cent mortgage bonds on hand	400,000.00	
Sinking fund account, first-mortgage extension and collateral 5 per cent bonds purchased	281,000.00	
Stock of material, fuel, etc., on hand	991,368.72	
Due from Post-Office Department	834.94	
Accounts receivable	761,835.37	
Cash and cash assets	3,865,650.61	
Total assets		$119,280,568.00

Revenue and expenditures for year ended March 31, 1895.

REVENUE.

Earnings	$17,420,816.61	
Net cash receipts of lands sold	15,644.42	
Premium Minneapolis and St. Louis Railway bonds	407,400.00	
Deferred interest on same	746,679.88	
Total		$18,590,540.91

EXPENDITURES.

Operating expenses and taxes	12,682,261.21	
Interest on bonded debt	3,318,525.00	
Rentals of leased lines	694,599.66	
Rentals and tolls, Missouri River bridge	157,608.29	
Dividend on capital stock, 3 per cent	1,384,674.00	
Premium on bonds purchased for account of sinking fund	325.85	
Total		18,237,994.01
Surplus		352,546.90

Comparative statement of the earnings and expenses of the Chicago, Rock Island and Pacific Railway Company.

	Year ended—		Difference.	
	June 30, 1895.	June 30, 1894.	Increase.	Decrease.
EARNINGS.				
Passenger	$4,286,218.54	$6,027,478.42	.....	$1,741,259.88
Freight	10,749,265.05	12,543,194.69	.....	1,793,929.64
Mail	514,181.39	457,192.49	$56,988.90	.....
Express	409,200.00	346,310.65	62,889.35	.....
Miscellaneous	889,650.80	799,211.58	90,439.22	.....
Total	16,848,515.78	20,173,387.83	.....	3,324,872.05
EXPENSES.				
Maintenance of way and structures	2,354,439.73	2,856,675.53	.....	502,235.80
Maintenance of equipment	1,523,051.84	2,115,738.71	.....	592,686.87
Conducting transportation	5,833,704.05	7,115,584.29	.....	1,281,880.24
General expenses and taxes	2,260,597.65	2,373,666.13	.....	112,968.48
Total	11,971,793.27	14,461,564.66	.....	2,489,771.39
Net earnings	4,876,722.51	5,711,823.17	.....	835,100.66
Miles operated	3,610	3,610	.....	.....
Earnings per mile	$4,667.17	$5,588.19	.....	$921.02
Expenses per mile	3,316.28	4,005.97	.....	689.69
Net earnings per mile	1,350.89	1,582.22	.....	231.33
Percentage of expenses to earnings	71.05	71.68	.....	.63

CHICAGO, ST. PAUL, MINNEAPOLIS AND OMAHA RAILWAY COMPANY.

(CHICAGO AND NORTHWESTERN RAILWAY COMPANY.)

This company was organized under the general laws of the State of Wisconsin June 1, 1880, by the consolidation of the Chicago, St. Paul and Minneapolis and the North Wisconsin Railway companies. Under the terms of consolidation the St. Paul and Sioux City and the Sioux City and St. Paul railroads were purchased. Included in the main line are 5.20 miles, from St. Paul to Mendota, which are owned jointly with the Chicago, Milwaukee and St. Paul Railway Company. There are 11.40 miles of the St. Paul, Minneapolis and Manitoba Railway, from East Minneapolis to St. Paul, and 1.59 miles of the Northern Pacific Railroad (bridge) near Duluth leased or operated under traffic contracts. In 1893 the Menomonie Railway, running from Cedar Falls, Wis., to connection with main line near Menomonie Junction, Wis., and from Menomonie Junction to Menomonie, Wis., a total of 5.02 miles; the Sault Ste. Marie and Southwestern Railway, running from Fairchild to Mondovi, Wis., a distance of about 37 miles; and the Eau Claire Railway, running from West Eau Claire, Wis., to Shaws Mills, Wis., a distance of 2.74 miles, were merged into the property and conveyed to the Chicago, St. Paul, Minneapolis and Omaha Railway Company. The first two of these roads had theretofore been operated as proprietary companies. An extension from Ponca to Newcastle, Nebr., 10.62 miles, was opened August 24, 1893.

By the acts of Congress approved June 3, 1856, and May 5, 1864, grants of land were made to roads now belonging to the Chicago, St. Paul, Minneapolis and Omaha Railway Company as follows:

	Acres.
St. Croix and Lake Superior	1,251,208.90
La Crosse and Milwaukee	922,497.53
Total	2,173,706.43

Hudson, Wis., and Superior, Wis., and branch Superior Junction, Wis., and Bayfield, Wis., are the land-grant termini.

The records of the General Land Office show that to June 30, 1895, there had been patented to the—

	Acres.
St. Croix and Lake Superior	1,349,610.48
La Crosse and Milwaukee	816,825.62
Total	2,166,436.10

The records of the General Land Office also show that 125,000 acres of railroad indemnity lands belonging to the Chicago, St. Paul, Minneapolis and Omaha Railway Company, located in Wisconsin, have been restored to the public domain.

The company makes the following report of the operations of its land department:

		Acres.
Acquired by United States patent		987,955.50
Acquired from State of Wisconsin		1,174,887.29
Acquired by cancellation of contracts		13,673.86
Total		2,176,516.65
Sold to June 30, 1895	1,731,851.58	
Owned by company	444,665.07	
		2,176,516.65

The report shows that the total cash receipts from all sales to date have amounted to $7,280,071.68, and there remained outstanding on account of time sales the sum of $201,106.22. The receipts of the land department during the year were $218,235.77, and the expenses $33,700.16. The average price per acre for all sales to date had been $4.52, and the average price per acre now asked is $2.

The main line of road extends from—

	Miles.
Elroy, Wis., to Minneapolis, Minn	195.17
North Wisconsin Junction to Bayfield, Wis	178.24
Eau Claire to Spooner, Wis	81.51
Superior Junction, Wis., to Duluth, Minn	71.45
St. Paul, Minn., to Sioux City, Iowa	243.76
Sioux City, Iowa, to Omaha, Nebr	123.06
Total	893.19

The company also leases 69.59 miles of main line, and owns 529.45 miles of branch lines, a total of 1,492.23 miles operated. There are also 399.19 miles of sidings and 23.79 miles of double track, a total of 1,915.21 miles of track, of which 1,376.50 miles are laid with steel rails.

The additions and betterments to railway during the year amounted to $80,626.98 and to rolling stock to $23,325.36; there were laid 8,011 tons of steel rails at a cost of $210,291.37, and 441,383 cross-ties were placed in the track at a cost of $184,123.94.

At the end of the year the equipment consisted of 61 passenger, 171 freight, and 37 switching locomotives, total 269; of which 266 were equipped with Westinghouse, New York air, American steam, and Eames's vacuum brakes. In the passenger service there were 1 buffet, 4 parlor, 2 dining, 3 chair, 79 first-class, 24 second-class, 10 mail, 39 baggage, 15 express, combination and mail, 22 combination, and 3 officers' cars, total 202; all equipped with Westinghouse brakes and Miller platforms. In the freight service there were 6,054 box, 393 stock, 933 coal, 1,234 flat, 75 refrigerator, 76 furniture, and 127 caboose cars; total 8,892. In the road and miscellaneous service there were 46 dump, gravel, and construction, 3 boarding, and 9 wrecking cars, and 1 rotary snowplow.

The express business on the company's lines is transacted by the American Express Company under contract on a tonnage basis. By

contract with the Pullman Palace Car Company its sleepers are run over the company's lines on a mileage basis.

The following statements show the financial condition of the company on June 30, 1895:

ASSETS.

Cost of road, fixtures, and equipment	$54,278,342.34	
Fuel, material, and stores on hand	760,129.28	
Company's stocks and bonds owned by company	4,823,961.64	
Other stocks and bonds	251,700.00	
Bills receivable	1,492.26	
Accounts receivable	1,717,741.58	
Due from United States Post-Office Department	51,842.13	
Cash on hand	481,037.83	
Total		$62,366,247.06

LIABILITIES.

First-mortgage bonds	$24,735,800.00	
Interest on same, due and accrued, including coupons due July 1, 1895	80,716.25	
Interest on same, accrued, not due	191,448.34	
Dividends unpaid	394,122.50	
Pay rolls and vouchers	361,459.31	
Due other companies on account of traffic	27,236.70	
Due other companies on account of leases	9,410.84	
Accrued taxes not yet due	193,285.03	
Total debt	25,993,478.97	
Capital stock	34,050,126.66	
Total stock and debt		60,043,605.63
Surplus		2,322,641.43

Revenue and expenditures for the year ended June 30, 1895.

REVENUE.

Earnings	$6,683,322.55	
Dividends on stocks of other companies	21,916.00	
Interest on bonds of other companies	8,100.00	
Interest on miscellaneous investments	3,125.46	
Receipts of the land department	218,235.77	
Total		$6,934,699.78

EXPENDITURES.

Operating expenses and taxes	$4,666,026.29	
Interest on first-mortgage bonds	1,450,416.00	
New construction	113,952.34	
Dividends Nos. 38 and 39, December, 1894, and June, 1895	787,976.00	
Expenses of the land department	33,700.16	
Total		7,052,070.79
Deficit		117,371.01

Comparative statement of the earnings and expenses of the Chicago, St. Paul, Minneapolis and Omaha Railway Company.

	Year ended—		Difference.	
	June 30, 1895.	June 30, 1894.	Increase.	Decrease.
EARNINGS.				
Passenger	$1,667,321.69	$1,908,832.95	.....	$241,511.26
Freight	4,567,986.55	5,725,944.57	.....	1,157,958.02
Mail	195,779.67	189,599.27	$6,180.40	.....
Express	157,766.76	137,206.20	20,560.56	.....
Miscellaneous	94,467.88	114,317.14	.....	19,849.26
Total	6,683,322.55	8,075,900.13	.....	1,392,577.58
EXPENSES.				
Maintenance of way and structures	1,904,866.89	1,254,312.67	650,554.22	.....
Maintenance of equipment	512,780.30	698,911.90	.....	186,131.60
Conducting transportation	2,581,292.28	2,621,186.82	.....	39,894.54
General expenses and taxes	477,086.82	918,439.98	.....	441,353.16
Total	4,666,026.29	5,492,851.37	.....	826,825.08
Net earnings	2,017,296.26	2,583,048.76	.....	565,752.50
Miles operated	1,492.23	1,492.23	.....	.....
Earnings per mile	$4,478.74	$5,411.96	.....	.....
Expenses per mile	3,126.88	3,680.97	.....	.....
Net earnings per mile	1,351.86	1,730.99	.....	.....
Percentage of expenses to earnings	.....	68.01	.....	.....

DUBUQUE AND SIOUX CITY RAILROAD COMPANY.

(ILLINOIS CENTRAL RAILROAD COMPANY.)

This company was chartered by the State of Iowa, November 24, 1856, as the Dubuque and Pacific Railroad Company. It was sold under foreclosure August 21, 1860, and the present company organized. The road was opened to Cedar Falls, 100 miles, April 1, 1861, and to the present terminus in 1866. A controlling interest was acquired by the Illinois Central Railroad Company in 1887.

By the act of Congress approved May 15, 1856, there were granted to the Dubuque and Pacific Railroad Company, through the State of Iowa, 1,226,163 acres of land. The records of the General Land Office show that to June 30, 1895, there had been patented to the company 327,690.39 acres, and to the Iowa Falls and Sioux City Railroad Company 683,023.80 acres. Dubuque, Iowa, and Sioux City, Iowa, are the land-grant termini.

The company makes no report of the operations of its land department, with the exception of an amount of $766.63 received from interest on time sales and $7,862.50 outstanding on that account, to which is appended the following note:

The lands covered by the land grant had all been disposed of before we got possession of the railroad or the company's records, and we have no means of information as to the past transactions of the company's land office. The bills receivable, covering deferred payments on lands sold, are shown and the interest collected on them during the year is also shown.

The main line of road extends from Dubuque to Sioux City, Iowa, a distance of 326.58 miles, and the report of the operating company is restricted in meager detail thereto. The expenditures during the year for additions and betterments to railway amounted to $22,483.81, all of which was charged to construction account.

At the end of the year the equipment consisted of 17 passenger, 30 freight, and 8 switching locomotives; total 55, all equipped with Westinghouse brakes; 28 first-class and 17 combination cars equipped with Westinghouse brakes and Miller platforms; 137 box, 24 stock, 14 coal, 24 flat, and 7 caboose cars, none of which have air brakes.

The following statements show the financial condition of the company on June 30, 1895:

ASSETS.

Cost of road fixtures and equipment	$17,264,463.00	
Land contracts	7,862.50	
Company's stocks and bonds	523,073.13	
Other stocks and bonds	5.80	
Bills receivable	243.82	
Accounts receivable	543,298.65	
Total		$18,338,946.90

LIABILITIES.

First-mortgage bonds	10,280,000.00	
Interest on same, due and accrued	4,305.00	
Interest on same, accrued, not due	59,166.67	
Dividends unpaid	956.05	
Pay rolls, vouchers, and accounts	713.49	
Total debt	10,345,141.21	
Capital stock	7,999,600.00	
Total stock and debt		18,344,741.21
Deficit		5,794.31

Revenue and expenditures for year ended June 30, 1895

REVENUE.

Earnings	$1,722,642.37	
Interest on bonds of other companies	32,235.00	
Interest on land notes	766.63	
Total		$1,755,644.00

EXPENDITURES.

Operating expenses	1,170,034.35	
Interest on first-mortgage bonds	347,316.66	
New construction	22,483.81	
Net loss on branch lines	391,110.49	
Total		1,930,945.31
Deficit		175,301.31

Comparative statement of the earnings and expenses of the Dubuque and Sioux City Railroad Company.

	Year ended—		Difference.	
	June 30, 1895.	June 30, 1894.	Increase.	Decrease.
EARNINGS.				
Passenger	$491, 834. 04	$558, 383. 27	.....	$66, 549. 23
Freight	1, 067, 509. 61	1, 449, 868. 09	.....	382, 358. 38
Mail	68, 411. 47	68, 779. 85	.....	368. 38
Express	48, 600. 00	75, 232. 57	.....	26, 632. 57
Miscellaneous	46, 287. 25	49, 243. 55	.....	2, 956. 30
Total	1, 722, 642. 37	2, 201, 507. 33	.....	478, 864. 96
EXPENSES.				
Maintenance of way and structures	237, 882. 83	222, 318. 31	$15, 564. 52	.....
Maintenance of equipment	166, 710. 33	194, 644. 80	.....	27, 934. 47
Conducting transportation	641, 556. 55	601, 731. 36	39, 825. 19	.....
General expenses and taxes	123, 884. 64	242, 764. 76	.....	118, 880. 12
Total	1, 170, 034. 35	1, 261, 459. 23	.....	91, 424. 88
Net earnings	552, 608. 02	940, 048. 10	.....	387, 440. 08
Miles operated	326. 58	326. 58	.....	.....
Earnings per mile	$5, 274. 79	$6, 741. 09	.....	$1, 466. 30
Expenses per mile	3, 582. 69	3, 862. 63	.....	279. 94
Net earnings per mile	1, 692. 10	2, 878. 46	.....	1, 186. 36
Percentage of expenses to earnings	67. 95	57. 30	10. 65	.....

HANNIBAL AND ST. JOSEPH RAILROAD COMPANY.

(CHICAGO, BURLINGTON AND QUINCY RAILROAD COMPANY.)

This company was chartered by the State of Missouri February 16, 1847, and the road opened February 14, 1859. The branches were built under separate charters. In 1882 a controlling interest was purchased by the Chicago, Burlington and Quincy Railroad Company. The Missouri Pacific Railway Company uses the road between St. Joseph and Atchison, together with the terminal facilities at St. Joseph. The Chicago, Rock Island and Pacific Railway Company pays rental for running its trains between Cameron and Kansas City.

By the act of Congress approved June 10, 1852, there were granted to the company, through the State of Missouri, 781,944.83 acres of land. Hannibal, Mo., and St. Joseph, Mo., are the land-grant termini. The records of the General Land Office show that to June 30, 1895, there had been patented to the company 603,186.34 acres.

The company makes the following report of the operations of its land department:

		Acres.
Acquired by United States patent		603, 186. 34
Sold for cash and on time contracts	598, 978. 04	
Owned by company	4, 208. 30	
		603, 186. 34

The total amount outstanding on account of time sales is $6,020.51, principal and interest; the average price per acre now asked is $3.38; the receipts during the year were $8,281.69, and the expenses $1,585.07.

The main line of road extends from Hannibal, Mo., to St. Joseph, Mo., a distance of 206.41 miles. The company also owns and leases branch lines as follows:

	Miles.
Quincy to Palmyra Junction	14.80
Cameron Junction to Kansas City	54.13
St. Joseph to Atchison	21.96
Total length of track operated, 297.30 miles.	
Length of double track	.40
Length of sidings on main line	68.05
Length of sidings on branch lines	22.20
Total length of track, 387.95 miles.	
Total number of miles of steel rail	353.0[illegible]
Total number of miles of iron rail	26.8[illegible]
Total number of miles of barbed-wire fencing	480.3[illegible]

The net additions to betterments of railway during the year amounted to $3,961.59, and to rolling stock, $520. These accounts are included in operating expenses.

There were 230 tons of new rails laid during the year, at a cost of $7,214.53, and 105,944 white burr oak cross-ties placed in the track, at a cost of $38,383.51.

At the end of the year there were 12 passenger, 47 freight, and 1[illegible] switching locomotives; total, 74, of which 69 were equipped with Westinghouse brakes. In the passenger service there were 1 dining, [illegible] chair, 12 first-class, 11 second-class, 14 mail, baggage, and express, [illegible] combination, and 2 officers' cars; total, 52. In the freight service there were 1,073 box, 201 stock, 542 coal and flat, 12 refrigerator, and 5[illegible] caboose cars; total, 1,884. In road and miscellaneous service there were 2 derricks and 16 boarding cars.

Contracts have been entered into with the following companies for the transaction of business named in connection therewith:

Adams Express Company, transportation of merchandise.
Pullman's Palace Car Company, running of sleeping cars.
Western Union Telegraph Company, commercial and company's business.

The following statements show the financial condition of the company on June 30, 1895:

ASSETS.

Cost of road and fixtures	$20,276,698.84	
Cost of equipment	3,460,785.31	
Fuel, material, and stores on hand	167,632.04	
Cash on hand and other assets	789,317.87	
Other stocks than company's stock	109,800.00	
Accounts receivable	285,781.97	
Total		$25,090,016.0[illegible]

LIABILITIES.

First-mortgage bonds	$8,000,000.00	
Other funded debt	50,000.00	
Accounts payable	15,730.55	
Pay rolls and vouchers	195,673.88	
Due other companies on account of traffic	124,385.55	
Accounts not liabilities	28,963.69	
Income account	2,196,269.73	
Total	10,611,023.40	
Capital stock	14,251,969.00	
Total stock and debt		$24,862,992.40
Surplus		227 023.63

Revenue and expenditures for year ended June 30, 1895.

REVENUE.

Earnings	$2,538,262.01	
Interest on bank balances, etc	15,650.25	
Receipts of the land department	13,194.92	
Total		$2,567,107.18

EXPENDITURES.

Operating expenses	1,408,737.58	
Interest on first-mortgage bonds	480,000.00	
Interest on other funded debt	3,000.00	
Taxes	38,111.44	
Rents	6,156.72	
Dividends on preferred stock	355,824.00	
Dividends on common stock	201,711.40	
Expenses of the land department	1,585.07	
Total		2,495,126.21
Surplus		71,980.97

Comparative statement of the earnings and expenses of the Hannibal and St. Joseph Railroad Company.

	Year ended—		Difference.	
	June 30, 1895.	June 30, 1894.	Increase.	Decrease.
EARNINGS.				
Passenger	$616,032.63	$711,773.48	.....	$95,740.85
Freight	1,417,651.94	1,552,452.88	.....	134,800.94
Mail	85,970.12	85,869.35	$100.77	.....
Express	73,800.00	73,800.00	.....	.....
Miscellaneous	344,807.32	381,297.04	.....	36,489.72
Total	2,538,262.01	2,805,192.75	.....	266,930.74
EXPENSES	1,408,737.58	1,673,261.77	.....	264,524.19
Net earnings	1,129,524.43	1,131,930.98	.....	2,406.55
Miles operated	297.30	295.25	2.05	.....
Earnings per mile	$8,537.71	$9,435.56	.....	$897.85
Expenses per mile	4,738.43	5,628.19	.....	889.76
Net earnings per mile	3,799.28	3,807.37	.....	8.09
Percentage of expenses to earnings	55.50	59.65	.....	4.15

LITTLE ROCK AND MEMPHIS RAILROAD COMPANY.

(SUCCESSOR TO MEMPHIS AND LITTLE ROCK RAILROAD COMPANY.)

This road, comprising originally three divisions, extends from the Mississippi River, opposite Memphis, Tenn., to Little Rock, Ark., a distance of 131 miles. The first division, from the Mississippi to the St. Francis River, 38 miles, was completed in 1859. Work of construction, interrupted by the war, was resumed in 1865, and the road was finally completed in April, 1871.

The trustees of the general mortgage took possession in August, 1884, sold the road, and organized the present company September 1, 1887. Default being made on a portion of the interest due September, 1892, the president was appointed receiver, by decree of court, on June 1, 1893. A sale of the road. under foreclosure of the mortgage, has been ordered.

By the acts of Congress approved February 9, 1853, and July 28, 1866, there were granted to the Memphis and Little Rock Railroad Company, through the State of Arkansas, 438,646 acres of land. The Mississippi River, opposite Memphis, and Argenta, opposite Little Rock, are the land-grant termini.

The records of the General Land Office show that to June 30, 1895, there had been patented to the company 167,567.25 acres. The auditor of the company states that, in consequence of the many different managements and reorganizations of its affairs since the completion of the road, the destruction of a portion of the records by fire, and the disappearance of the books, he is unable to give full information of the operations of the land department. The sales of land to June 30, 1895, so far as he can ascertain-from the meager records in his possession, have amounted to $7,368.64, and the expenditures to $2,416.92. There remained outstanding on account of time sales the sum of $6,323.26, principal and interest. The number of acres still owned by the company is given as 55,872. The average price per acre for all sales during the year was $1.99, and the average price per acre now asked is $2.88.

The main line of this road extends from Argenta, Ark., to Hopefield, Ark., opposite Memphis, Tenn., a distance of 131.83 miles. There were no additions or betterments to the railway during the year, and only nine box cars were added to the rolling stock. The roadway, bridges, track, buildings, etc., are assessed for taxation at a valuation of $684,995, and the equipment at $101,247.

At the close of the year the equipment consisted of 16 locomotives; 8 first-class, 5 second-class, 3 baggage, and 4 combination cars, a total of 20 cars in the passenger service. In the freight service there were 134 box, 13 stock, 40 coal, 78 flat, 2 refrigerator, and 4 caboose cars; total, 271. In the road repair service there were 1 derrick, 13 boarding, 25 hand, and 20 push cars; total, 59.

The express business on the company's lines is transacted by the Pacific Express Company, under contract. The Pullman Palace Car Company runs its cars on a mileage basis.

The following statements show the financial condition of the company on June 30, 1895:

ASSETS.

Land contracts, land cash, etc	$6,323.26	
Fuel, material, and stores on hand	30,724.30	
Accounts receivable	47,715.05	
Due from United States	4,226.13	
Cash on hand	50,002.73	
Total		$138,991.47

LIABILITIES.

Receiver's certificates	40,252.38	
Bills payable	45,000.00	
Accounts payable	10,776.95	
Pay rolls and vouchers	14,692.10	
Due other companies on account of traffic	6,246.40	
Land department	6,005.89	
Total		122,973.72
Surplus		16,017.75

Revenue and expenditures for year ended June 30, 1895.

REVENUE.

Earnings	$382,007.18	
Receipts of the land department	5,766.23	
Total		$387,773.41

EXPENDITURES.

Operating expenses	347,896.99	
Interest on other debt	3,672.00	
Total		351,568.99
Surplus		36,204.42

Comparative statement of the earnings and expenses of the Little Rock and Memphis Railroad Company.

	Year ended—		Difference.	
	June 30, 1895.	June 30, 1894.	Increase.	Decrease.
EARNINGS.				
Passenger	$76,399.42	$81,856.20	.....	$5,456.78
Freight	280,753.62	262,554.60	$18,199.02	.....
Mail	16,906.93	16,674.18	232.75	.....
Express	6,988.76	6,773.53	215.23	.....
Miscellaneous	958.45	965.05	.....	6.60
Total	382,007.18	368,823.56	13,183.62	.....
EXPENSES.				
Maintenance of way and structures	92,990.93	85,974.72	7,016.21	.....
Maintenance of equipment	38,160.57	35,663.09	2,497.48	.....
Conducting transportation	158,680.23	164,241.16	.....	5,560.93
General expenses and taxes	58,065.26	62,405.97	.....	4,340.71
Total	347,896.99	348,284.94	.....	387.95
Net earnings	34,110.19	20,538.62	13,571.57	.....
Miles operated	132	132	.....	.....
Earnings per mile	$2,893.99	$2,794.12	$99.87	.....
Expenses per mile	2,635.58	2,638.52	.....	$2.94
Net earnings per mile	258.41	155.60	102.81	.....
Percentage of expenses to earnings	91.08	94.43	.....	3.35

MISSOURI PACIFIC RAILWAY COMPANY.

This company is the successor of the Pacific Railroad Company of Missouri, which was organized under the general laws of the State of Missouri March 12, 1849, to build a road from St. Louis to Jefferson City, and thence to the western boundary of the State.

The land grant to the Pacific Railroad of Missouri, 1,161,235.07 acres (see history of the St. Louis and San Francisco Railway Company), was conveyed to the South Pacific Railroad. This road was taken possession of by the State in 1866, for nonpayment of interest on the State subsidy, and sold, with the lands, to the Atlantic and Pacific Railroad Company, which, in 1872, leased the line of the old company. The two roads were operated under one management until 1876, when the Pacific road was sold under process of foreclosure of the third mortgage and conveyed by the purchasers to the present company, which was incorporated October 21, 1876. By articles of association filed August 11, 1880, the Missouri Pacific was consolidated with the St. Louis and Lexington, the Kansas City and Eastern, the Lexington and Southern, the St. Louis, Kansas and Arizona, the Missouri River, and the Leavenworth, Atchison and Northwestern railroads, which, with the other roads hereinafter named, form the existing company.

This company leases the following roads, which are subject to the provisions of the act approved June 19, 1878: Central Branch Union Pacific Railroad (which see), the lease running for twenty-five years from December 31, 1885, the Missouri Pacific accounting to the Union Pacific Railway Company (owners) for the net earnings; and the Little Rock and Fort Smith Railway, which received a grant in aid of construction of 1,100,000 acres of land, 1,057,647.55 of which had been patented to June 30, 1895.

In 1881 this company acquired the property of the St. Louis, Iron Mountain and Southern Railway Company (which see).

Following are the termini of the different land-grant railroads which form a part of the Missouri Pacific Railway system: Southwest Branch Pacific Railroad of Missouri, St. Louis and Pacific, Mo.; Central Branch Union Pacific (formerly Atchison and Pikes Peak Railroad), Atchison and Waterville, Kans.; Little Rock and Fort Smith Railway, Argenta, on left bank of Arkansas River, opposite Little Rock, and Garrison avenue, Fort Smith, Ark. The company has no land department of its own.

The main line of this road extends from the levee, Eleventh street, St. Louis, to Webster street, Omaha, a distance of 492.88 miles. The company also owns 766.62 miles of branch lines and leases 307.57 miles, a total of 1,567.07 miles of road operated. There are 32.35 miles of double track, 236.04 miles of sidings on the main line, and 185.34 miles of sidings on branch lines, an aggregate of 2,022.21 miles of track. There are 135.01 miles of road ballasted with stone, 54.73 miles with

gravel, 184.01 miles with cinder, 917.87 miles with earth, and 275.45 miles with zinc tailings. There are 2,200.21 miles of barbed-wire fencing. Steel rails of from 56 to 75 pounds per linear yard are laid on 523.39 miles of track and iron rails of from 48 to 56 pounds on 43.68 miles of track.

Betterments to railway and equipment were effected through expense accounts, no improvement account being kept. The assessed valuation of roadway, bridges, track, buildings, etc., for taxation is $11,949,530.48, and of rolling stock and equipment $1,346,947.46.

There were 679,371 new oak cross-ties placed in the track during the year at a cost of $260,382.52. During the same period there were added 6 baggage, 1 caboose, 1 derrick, 29 dump, and 1 wrecking cars. At the end of the year the equipment consisted of 78 passenger, 209 freight, and 50 switching locomotives, 324 of which were equipped with Westinghouse and New York brakes; 2 parlor, 55 sleeping, 54 chair, 116 first-class, 19 mail, 46 baggage, 51 combination, and 7 officers' cars, all equipped with Westinghouse brakes and Miller platforms. In the freight service there were 5,764 box, 886 stock, 4,197 coal, 681 flat, 369 refrigerator, 10 fruit, and 159 caboose cars. Total number of cars in the passenger service, 350, and in the freight service, 12,066; aggregate, 12,416. In the road and miscellaneous service there were 8 derricks, 59 dump, 13 boarding, 17 wrecking, 699 hand, and 767 push cars; total, 1,563.

The express business on the company's lines is transacted by the Pacific Express Company under a contract dated May 1, 1886, whereby the railway company receives a stipulated percentage of gross earnings. The telegraph business is transacted by the Western Union Company under contract, the railway company bearing the joint expense.

The Pullman Palace Car Company, under contract dated November 1, 1886, runs its sleeping cars over the lines of the railway company on a mileage basis. The American Refrigerator Transit Company of Illinois, under contract dated January 1, 1894, furnishes refrigerator cars, receiving a mileage compensation for their use in addition to a revenue commission.

This company has executed leases as follows:

February 16, 1880, Hannibal and St. Joseph Railroad Company: Joint use of track between Winthrop and St. Joseph, Mo., including terminal facilities at St. Joseph, for the period of twenty-five years at an annual rental and proportionate cost of maintenance.

July 1, 1880, Boonville, St. Louis and Southern Railway: Lease of road for thirty years.

January 1, 1885, St. Louis and San Francisco Railway Company: Joint use of terminal facilities at St. Louis and Carondolet, Mo., at a fixed rental and payment of proportionate charge for taxes and expense of maintenance.

September 27, 1886, Verdigris Valley, Independence and Western Railway: Lease of road for forty years at a fixed rental per mile per annum, together with cost of maintenance, including taxes.

October 31, 1886, Leroy and Caney Valley Air Line Railroad: Same time and conditions of lease as the Verdigris Valley, Independence and Western Railway.

February 1, 1890, Osage Division of Missouri, Kansas and Texas Railway, extending from Holden, Mo., to Paola, Kans.: Lease of road at an annual rental until termination of receivership.

January 1, 1891, Kansas City and Southwestern Railway Company of Missouri: Lease of road extending from Cecil, Mo., to the line between Missouri and Kansas, together with its leased line, the Kansas City and Southwestern Railway, extending from the line between Missouri and Kansas to Paola, Kans., for a term of twenty-five years, the consideration being payment of fixed charges, taxes, renewals, and expenses of maintenance.

The following statements show the financial condition of the company on June 30, 1895:

ASSETS.

Cost of road, fixtures, and equipment	$49,802,560.27	
Cost of real estate other than road	780,922.10	
Fuel, material, and stores on hand	887,293.71	
Stocks, bonds, and miscellaneous investments	57,150,752.75	
Bills receivable	18,795.16	
Accounts receivable	3,368,386.02	
Due from other companies on account of traffic	17,338.80	
Cash on hand	515,299.49	
Total		$112,541,348.30

LIABILITIES.

Funded debt	54,012,000.00	
Interest on same, due and unpaid	405,821.25	
Interest on same, accrued, not due	864,439.57	
Bills and accounts payable	6,076,379.50	
Pay rolls and vouchers	2,138,180.89	
Total	63,496,821.21	
Capital stock	47,436,575.00	
Total stock and debt		110,933,396.21
Surplus		1,607,952.09

Revenue and expenditures for year ended June 30, 1895.

REVENUE.

Earnings	$8,881,450.54	
Profits on miscellaneous investments	209,824.53	
Discount and premium	4,943.76	
Terminal facilities	192,129.39	
Sundry amounts	298,593.54	
Total		$9,586,941.76

EXPENDITURES.

Operating expenses, rentals, and taxes	6,986,878.45	
Interest on funded debt	2,723,175.00	
Interest on other debt	562,215.87	
Losses on stocks of other companies	342,723.65	
Branch lines deficit	664,954.49	
Expenses of traffic associations	12,352.04	
Retained by United States on account of land grant	450.94	
Sundry expenses	25,521.05	
Total		11,318,271.49
Deficit		1,731,329.73

Comparative statement of the earnings and expenses of the Missouri Pacific Railway Company.

	Year ended—		Difference.	
	June 30, 1895.	June 30, 1894.	Increase.	Decrease.
EARNINGS.				
Passenger	$1,733,182.98	$1,749,661.37	.....	$16,478.39
Freight	5,703,722.94	6,259,883.07	.....	556,160.13
Mail	463,689.45	447,895.81	$15,783.64	.....
Express	161,851.33	166,140.80	.....	4,289.47
Miscellaneous	819,003.84	852,473.16	.....	33,469.32
Total	8,881,450.54	9,476,054.21	.....	594,603.67
EXPENSES.				
Maintenance of way and structures	1,441,603.45	1,310,861.29	130,742.16	.....
Maintenance of equipment	1,243,983.98	1,288,580.65	.....	44,596.67
Conducting transportation	3,624,317.58	3,569,674.74	54,642.84	.....
General expenses	199,290.38	471,675.45	.....	272,385.07
Total	6,509,195.39	6,640,792.13	.....	131,596.74
Net earnings	2,372,255.15	2,835,262.08	.....	463,006.93
Miles operated	1,567.07	1,567.07	.....	.....
Earnings per mile	$5,667.55	$6,046.98	.....	$379.43
Expenses per mile	4,153.73	4,237.71	.....	83.98
Net earnings per mile	1,513.82	1,809.27	.....	295.45
Percentage of expenses to earnings	73.20	70.08	3.21	.....

MISSOURI, KANSAS AND TEXAS RAILWAY COMPANY.

The Union Pacific Railway Company, Southern Branch, incorporated under a general act of the legislature of Kansas September 25, 1865, was built from Junction City, Kans., to the southern boundary line of the State, a distance of 182 miles, in 1869 and 1870, and opened October 1, 1870. On March 31, 1870, a certificate was filed with the secretary of state changing the name of the Union Pacific Railway, Southern Branch, to that of the Missouri, Kansas and Texas Railway Company. On December 12, 1870, the ratification by the stockholders of the Missouri, Kansas and Texas Railway Company was filed, ratifying the consolidation between the Missouri, Kansas and Texas Railway Company and the Neosho Valley and Holden and the Labette and Sedalia Railroad companies, and to correct a misnomer contained in three articles, and declaring the same to be the Missouri, Kansas and Texas Railway Company. The legislature of 1871 passed an act legalizing the aforesaid consolidations. (See laws of 1871, p. 287.)

The St. Louis and Santa Fe Railroad was purchased at foreclosure sale April 29, 1872, and the Hannibal and Central Missouri was purchased in 1873. Default in the payment of bond interest due June 1, 1888, led to the appointment by the United States court of receivers, who, pending reorganization, had possession of the road until June 8, 1891. On July 1, 1891, the present company came into possession of the property.

By the act of Congress approved March 3, 1863, there were granted to the Union Pacific, Southern Branch, through the State of Kansas,

1,520,000 acres of land. Junction City, Kans., and the southern boundary of Kansas, and to Fort Smith when the Indian title is extinguished, are the land-grant termini.

The records of the General Land Office show that to June 30, 1895, there had been patented to the company 713,015.18 acres of land in the State of Kansas. The records of the General Land Office also show that 5,700 acres of railroad indemnity lands located in Kansas have been restored to the public domain. The company makes no report of the operations of its land department, but under this head Poor's Manual of Railroads, 1895, page 536, contains the following:

Under several acts of Congress the company received large land grants both in the State of Kansas and in the Indian Territory; those in the latter claimed to amount to 3,110,400 acres, subject to treaty stipulations and to the extinguishment of the Indian title. The lands received from the State of Kansas have all been sold. No lands in the Indian Territory have yet been received. On March 3, 1893, a bill was passed in the National Congress providing for the appointment of a commission to investigate and report to the Government as to the expediency of opening up for settlement territory tributary to the Missouri, Kansas, and Texas Railway.

The main line of the road extends from—

	Owned.	Leased.
	Miles.	*Miles.*
Texas Junction to Franklin Junction, Mo	.....	161.70
Franklin Junction, Mo., to Denison, Tex	471.55	.....
Denison to Whitesboro, Tex	25.00	.....
Fort Worth to Houston, Tex	327.37	.....
Whitesboro to Fort Worth, Tex	.....	71.18
Hannibal to Franklin Junction, Mo	105.00	.....
Total	928.92	232.88

The company also owns 717.57 miles of branch lines and leases 234.94 miles, a total of 2,114.31 miles operated. There are 91.96 miles of sidings on the main line and 68.87 miles on the branches, a total length of track of 2,275.14 miles.

The Fort Worth line, from Fort Worth to Whitesboro, was built and is owned by the Texas and Pacific Railway Company, and is operated jointly with that company under lease. The Osage Division, 54 miles, is operated by the Missouri Pacific Railway Company at an annual rental.

The amount expended for additions and betterments to railway during the year was $954,040.63, of which $405,000 were charged to construction account and $549,040.63 to operating expenses. The amount expended on the same account for rolling stock was $354,462.46, and was charged to operating expenses. During the same period 9,502 tons of new steel rails were laid and 1,089,516 oak cross-ties placed in the track. Steel rails, of from 52 to 66 pounds per linear yard, have been laid on 2,242 miles of track. The average number of cross-ties per mile is 3,000. There are 2,410 miles of barbed-wire fencing. The

road is ballasted with 261.56 miles of stone, 285.70 miles of gravel, 95.20 miles of cinder, and 1,338.30 miles of earth.

At the end of the year the equipment consisted of 57 passenger, 173 freight, and 31 switching locomotives, 164 of which were equipped with Westinghouse and 54 with New York brakes. In the passenger service there were 25 chair, 46 first-class, 20 second-class, 6 mail, 31 baggage, 12 express, 32 combination, and 4 officers' cars, a total of 176. In the freight service there were 3,305 box, 728 stock, 1,788 coal, 612 flat, 176 refrigerator, and 160 caboose cars; total, 6,769. In the road and miscellaneous service there were 4 derricks, 126 dump, gravel, and construction, 4 boarding, 9 wrecking, 463 hand, and 402 push cars; total, 1,008.

The express business on the company's lines is transacted by the American Express Company under contract. The Wagner Palace Car Company runs its own cars over the company's lines on a mileage basis. Contracts and agreements relative to transportation, leases, and joint use of tracks and terminals have been entered into with the following companies: Wabash Railroad Company, Wichita Falls, Texas Pacific, and Missouri Pacific railway companies, and with the Terminal Railroad Association of St. Louis for use of elevated track and union station. The telegraph service on the company's lines is performed by the Western Union Telegraph Company under contract.

The following statements show the financial condition of the company on June 30, 1895:

ASSETS.

Cost of road, fixtures, and equipment	$129,017,260.68	
Real estate other than road	1,733.50	
Fuel, material, and stores on hand	359,642.38	
Accounts receivable	552,255.39	
Payment for equipment purchased by receivers under court orders	648,804.72	
Cash on hand	1,140,834.27	
Total		$131,720,530.94

LIABILITIES.

First-mortgage bonds	45,355,000.00	
Interest on same, due and unpaid	263,500.00	
Interest on same, accrued, not due	192,466.49	
Other funded debt	20,000,000.00	
Interest on same, due and unpaid	39,610.00	
Accounts payable	1,391,237.04	
Pay rolls and vouchers	974,427.61	
Due other companies on account of traffic, net	6,279.44	
Sundries	41,630.98	
Total debt	68,264,151.56	
Capital stock	63,012,500.00	
Total stock and debt		131,276,651.56
Surplus		443,879.38

Revenue and expenditures for year ended June 30, 1895.

Earnings		$11,544,363.56
Operating expenses	$8,195,900.90	
Interest on first-mortgage bonds	1,877,943.33	
Interest on other funded debt	400,000.00	
Rents for lease of road	610,496.71	
Taxes	225,282.91	
Sinking-fund requirements	10,000.00	
Total expenditures		11,319,623.85
Surplus		224,739.71

Comparative statement of the earnings and expenses of the Missouri, Kansas and Texas Railway Company.

	Year ended—		Difference.	
	June 30, 1895.	June 30, 1894.	Increase.	Decrease.
EARNINGS.				
Passenger	$1,970,905.09	$1,989,447.79		$18,542.70
Freight	8,986,779.19	7,359,213.36	$1,627,565.83	
Mail	312,422.91	272,971.22	39,451.69	
Express	194,659.30	162,045.98	32,613.32	
Miscellaneous	79,597.07	93,612.26		14,015.19
Total	11,544,363.56	9,877,290,61	1,667,072.95	
EXPENSES.				
Conducting transportation	2,672,681.73	2,698,795.65		26,113.92
Maintenance of way	2,286,402.61	1,439,103.19	847,299.42	
Motive power	2,289,899.01	2,120,532.96	169,366.05	
Maintenance of cars	514,283.33	245,518.32	268,765.01	
General expenses	432,634.22	475,279.35		42,645.13
Total	8,195,900.90	6,979,229.47	1,216,671.43	
Net earnings	3,348,462.66	2,898,061.14	450,401.52	
Miles operated	2,114.31	2,017.01	97.30	
Earnings per mile	$5,460.10	$4,896.99	$563.11	
Expenses per mile	3,876.39	3,460.18	416.21	
Net earnings per mile	1,583.71	1,436.81	146.90	
Percentage of expenses to earnings	70.99	70.66	.33	

NORTHERN PACIFIC RAILROAD COMPANY.

This company was chartered by the act of Congress approved July 2, 1864, to "construct * * * a continuous railroad and telegraph line * * * beginning at a point on Lake Superior, in the State of Minnesota or Wisconsin, * * * on a line north of the forty-fifth parallel, to some point on Puget Sound, with a branch, via the valley of the Columbia River, to a point at or near Portland, in the State of Oregon." The road was begun in July, 1870, and opened from Ashland, Wis., to Portland, Oreg., September 9, 1883. By the same act there were granted to the company 47,000,000 acres of land in aid of construction.

Ashland, Wis., and Portland, Oreg., via Tacoma, Wallula Junction, and Pasco Junction are the land-grant termini.

The records of the General Land Office show that to June 30, 1895, there had been patented to the company—

	Acres.
In the State of Minnesota	1,534,747.52
In the State of North Dakota	748,311.99
In the State of Oregon	422.75
In the State of Washington	4,059,645.93
In the State of Idaho	91,414.02
In the State of Montana	303,201.55
Total	6,737,743.76

The records of the General Land Office also show that 8,946,400 acres of railroad indemnity lands, located in Wisconsin, Minnesota, Dakota, Montana, Idaho, Washington, and Oregon have been restored to the public domain; and that, by a decision of the Commissioner dated September 13, 1886, affirmed by the Secretary of the Interior, 32,400 acres of the grant, located in Washington, have also been restored.

The company makes the following report of the operations of its land department:

		Acres.
Received by United States patent		8,783,661.09
Sold for cash and on time contracts	8,462,084.34	
Sold as town lots	4,165.89	
		8,466,250.23
Difference		317,410.86

The company also reports that the total cash receipts from all sales to date had amounted to $34,273,375.29, and the amount outstanding on account of time sales to $4,280,438.86, principal and interest. The receipts during the year were $770,726.70, and the expenses $406,883.77. The average price per acre for all sales to date has been $3.92.

The main line of road extends from Ashland, Wis., to Portland, Oreg., and from Pasco to Wallula Junction, Wash., a distance of 2,136.46 miles. By the addition of branch lines and spurs the mileage owned and leased is increased to 4,598.34. There are also 31.16 miles owned jointly with other companies, and 19.46 miles operated under trackage rights, a total length of road of 4,648.96 miles. In addition to the foregoing, there are 67.88 miles of second, third, and fourth track, and 295.47 miles of sidings on the branch lines, an aggregate of 5,434.41 miles of track. By decree of court August 15, 1893, the company passed into the hands of receivers.

At the end of the year the ballast consisted of 23 miles of stone, 1,392 of gravel, 263.67 of cinder, and 2,548 of earth. There are 2,043.17 miles of barbed wire, board, and other fencing; 17 snowsheds, aggregating 9,098 feet in length, and 30 tunnels, aggregating 28,338 feet in length.

During the year 3,678 tons of steel rails were laid, at a cost of $120,066 and 1,312,728 new hemlock, fir, tamarack, and oak cross-ties placed in the track, at a cost of $367,563.84. The expenditures for additions and betterments to railway amounted to $251,745.77, all of which was charged to operating expenses, and $26,451.60 was expended

for additions and betterments to rolling stock, all of which was charged to equipment account. On a portion of the line taxes are paid on the amount of gross earnings and on the other by local assessments. No assessed valuation of railway or rolling stock is given.

At the end of the year the equipment consisted of 548 locomotives, 533 of which were equipped with Westinghouse brakes; 26 dining, 50 sleeping, 69 first-class, 60 second-class, 39 emigrant, 13 mail, 44 baggage, 25 express, 31 mail-express, 27 combination, and 16 officers' cars, making a total of 400 cars in the passenger service, all of which are equipped with Westinghouse brakes and 398 with Miller and Cowell platforms. In the freight service there were 7,229 box, 946 stock, 1,968 coal, 3,794 flat, 7 tank, 2 ferry, 219 refrigerator, 29 fruit, and 313 caboose cars, and 214 logging trucks, a total of 14,721 cars in the freight service, 10,726 of which are equipped with Westinghouse brakes and 5,360 with automatic platforms. In road-repair service there were 100 boarding, 16 wrecking, 12 dump, 660 push, and 763 hand cars, 10 derricks, 16 steam shovels, 7 snow plows, and 116 velocipedes.

The express business on the company's line of road is transacted by the Northern Pacific Express Company under contract. Sleeping cars are owned jointly by the railroad and the Pullman Palace Car companies, the net receipts being equally divided between them. Contracts and agreements for interchange of business have been entered into with the Oregon Railway and Navigation, the Washington and Columbia River, the Northern Pacific, and the Chicago, Burlington and Quincy Railroad companies, and the Pacific Coast and the Puget Sound and Alaska steamship companies.

Leases for use of tracks, St. Paul to Minneapolis and at Portland, of depot at Minneapolis and at St. Paul, terminus at Portland and of tracks at Duluth and between Huntley and Billings have been granted to the Great Northern, the Minneapolis Union, the Duluth, Missabe and Northern, and the Chicago, Burlington and Quincy Railroad companies, with the Northern Pacific Terminal and the St. Paul Union depot companies. A contract with the Western Union Telegraph Company for the building and joint operation of a telegraph line is in force.

The following statements show the financial condition of the company on June 30, 1895:

ASSETS.

Cost of road, fixtures, and equipment	$212,234,780.60	
Contingent assets, branch roads	16,155,988.06	
Fuel, material, and stores on hand	826,345.22	
Stocks, bonds, and miscellaneous investments	17,759,102.46	
Uninvested land receipts in hands of trustees	11,059.04	
Sinking fund in hands of trustees or due	1,698,590.47	
Bills receivable	171,696.06	
Accounts receivable	2,982,432.62	
Due from subsidiary lines	2,722,757.18	
Deferred payments on land sales	4,280,438.86	
Cash on hand	2,089,588.19	
Total		$260,932,778.76

LIABILITIES.

First-mortgage bonds	$42,212,000.00	
Interest on same, due and accrued	19,410.00	
Interest on same, accrued, not due	1,275,630.00	
Contingent liabilities, branch roads	15,349,000.00	
Other funded debt	94,761,000.00	
Interest on same, due and unpaid	8,309,795.42	
Interest on same, accrued, not due	671,461.67	
Dividends unpaid	7,144.00	
Bills payable	200,000.00	
Accounts payable	1,908,872.49	
Pay rolls	858,743.82	
Rentals, taxes, and interest accrued	368,482.17	
Due on account of leases and guaranteed interest on bonds of branch roads	1,604,510.00	
Sinking-fund investment account	8,843,360.69	
Sinking-fund requirements accrued and unpaid	1,296,874.76	
Receivers' certificates	4,900,000.00	
Accrued interest on same	73,875.00	
Equipment renewal fund	357,687.10	
Suspense accounts	547,154.46	
Outstanding land contracts, applicable to sinking fund when collected	2,282,190.31	
Total debt	185,847,191.89	
Capital stock	84,250,146.86	
Total stock and debt		$270,097,338.75
Deficit		9,164,559.99

Revenue and expenditures for year ended June 30, 1895.

REVENUE.

Earnings	$17,434,980.80	
Rentals and other receipts	243,198.48	
Profits on bonds of other companies	12,195.00	
Dividends on stocks of other companies	374,792.50	
Interest on bonds of other companies	2,189.31	
Profits on miscellaneous investments	44,912.87	
Interest on miscellaneous investments	12,745.74	
Miscellaneous receipts	24,886.19	
Total		$18,149,900.89

EXPENDITURES.

Operating expenses	$11,319,682.41	
Taxes	501,715.91	
Interest on first-mortgage bonds	1,295,040.00	
Interest on other funded debt	6,125,983.33	
Interest on other debt, receivers' certificates	208,795.00	
Rentals	1,195,408.90	
Interest on bonds of branch lines	908,440.00	
Commissions on receivers' certificates and general interest	218,185.41	
Sinking fund requirements	1,305,678.92	
Miscellaneous	198,177.22	
Total		23,277,107.10
Deficit		5,127,206.21

Comparative statement of the earnings and expenses of the Northern Pacific Railroad Company.

	Year ended—		Difference.	
	June 30, 1895.	June 30, 1894.	Increase.	Decrease.
EARNINGS.				
Passenger	$3,338,279.38	$4,117,112.46	.....	$778,833.08
Freight	13,060,113.16	11,420,249.02	$1,639,864.14	.....
Mail	533,038.40	523,768.27	9,270.13	.....
Express	250,850.50	232,601.72	18,248.78	.....
Miscellaneous	252,699.36	253,478.04	.....	778.68
Total	17,434,980.80	16,547,209.51	887,771.29	.....
EXPENSES.				
Maintenance of way and structures	2,722,423.44	3,145,497.82	.....	423,074.38
Maintenance of equipment	1,591,290.98	1,500,166.89	91,124.09	.....
Conducting transportation	5,948,358.63	5,756,661.59	191,697.04	.....
General expenses and taxes	1,057,609.36	1,879,618.93	.....	822,009.57
Total	11,319,682.41	12,281,945.23	.....	962,262.82
Net earnings	6,115,298.39	4,265,264.28	1,850,034.11	.....
Miles operated	4,648.96	4,494.84	154.12	.....
Earnings per mile	$3,750.29	$3,681.37	$68.92	.....
Expenses per mile	2,434.88	2,732.45	.....	$297.57
Net earnings per mile	1,315.41	948.92	366.49	.....
Percentage of expenses to earnings	64.92	74.22	.....	9.30

The Railway Age of October 4, 1895, contains the following in regard to this company:

In the United States circuit court at Milwaukee, Wis., September 27, Judge Jenkins accepted the resignations of Thomas F. Oakes, Henry C. Payne, and Henry C. Rouse as receivers of this road. In regard to the question of jurisdiction Judge Jenkins said: "For two years the jurisdiction of this court has never been challenged. All parties, the bondholders, the stockholders, and all, have subjected themselves to the jurisdiction of this court. Following the principle of comity which exists between courts, property in different sections of the country can not be properly administered when in the hands of receivers except through one court. I have no observations to make on the actions of the Washington court except to recognize the fact that when a bill was filed to foreclose on the property lying within its district it has jurisdiction as to that property, and if it chooses to refuse to recognize the principle of comity it has the power to take the property and to appoint separate receivers for it so far as it lies within its jurisdiction, but it does not follow that it has primary jurisdiction. The receivers were ordered by the Washington court to do acts they could not do in protection to their own interests and to that of their sureties. It is manifest that a compliance with the order would produce great confusion, would be detrimental to the property and the interests of the trust estate, and might produce a conflict between the courts, as the accounts which might be allowed by one court might not be allowed by the other. Under those circumstances the receivers have resigned. Everyone admits a divided receivership will result in a loss in the administration of the estate, but that was a conclusion which failed to impress itself on the circuit court of Washington when it delivered its opinion. I will go as far as anyone, but I recognize that it is the duty of this court, having accepted the responsibility of this receivership, to so administer the property while in its charge that it shall go unharmed and uninjured to its successors. Personally, I would be glad to wash my hands of the management of the property. But I think

it is the duty of the court to consider the resignation of the receivers and the appointment of their successors."

On Saturday, September 28, Judge Jenkins appointed E. H. McHenry, chief engineer of the Northern Pacific, and Frank G. Bigelow, of Milwaukee, receivers of the road, the former to have charge of the operation of the property and the latter to have charge of all matters pertaining to the finances of the company. The security holders had united in recommending the appointment of Thomas Lowry, of Minneapolis, as receiver, but the court declined to name him, owing to the fact that he is president of the Minneapolis, St. Paul and Sault Ste. Marie, a competing line. The court stated that if at any time the welfare of the interests involved for any reason demand the appointment of a third receiver the matter will be considered. At St. Paul, Minn., September 30, Judge Sanborn, of the United States circuit court, concurred in the acti n of Judge Jenkins and named E. H. McHenry and F. G. Bigelow as receivers for the territory under his jurisdiction.

In the Federal court at Seattle, Wash., Judge Hanford refused to accept the resignations of Messrs. Oakes, Rouse, and Payne as receivers and removed them because of their failure to comply with his order directing them to give an account of their past acts and to answer charges of Brayton Ives. Andrew F. Burleigh was appointed as receiver for the lines in Washington. President Ives filed new affidavits, charging that Henry Villard, one month before the Northern Pacific road was placed in the hands of receivers, had authorized his personal counsel to take steps to place it in the hands of receivers and had given it out that Henry C. Payne would be one of them. The Farmers' Loan and Trust Company, as trustees of the second-mortgage bonds, has filed its answer in the receivership case, denying the alleged Villard influence in the appointment of the old receivers. The answer denies any knowledge of Gustave Ulbricht prior to the appointment of Oakes and pronounces absolutely false the allegation that Oakes appealed to Rolston or to Villard to insist on his appointment as receiver.

OREGON AND CALIFORNIA RAILROAD COMPANY.

(SOUTHERN PACIFIC COMPANY.)

This company was chartered March 17, 1870, as successor of the Oregon Central Railroad Company of Salem, which was organized under the general laws of the State of Oregon April 22, 1867. The Oregonian and the Portland and Yamhill railroads were purchased July 31, 1893. The main line from Portland to Roseburg, 199 miles, was opened December 5, 1872. The road is leased for thirty-four years, from August 1, 1893, to the Southern Pacific Company. By the terms of this lease the net earnings or income, after payment of all fixed charges, is to be applied by the lessee company to the payment of interest on the bonded indebtedness of the lessor company, which company shall be entitled to the residue of such net earnings up to 7 per cent on preferred and 6 per cent on the common stock, any excess over such amounts to be retained by the lessee. Should the excess of net earnings or income be insufficient to pay the interest, as aforesaid, then and in such event it shall be optional with the lessee company to make good the deficiency. Should it do so, it may reimburse itself for such deficiencies or advances out of subsequent earnings, with interest at 6 per cent per annum, the security therefor to be a lien on the property and income of the lessor company. The lessee company guarantees the payment, principal and

interest, of the bonds already issued, or that may be issued hereafter, under a mortgage bearing date July 1, 1887, from the lessor company to the Union Trust Company of New York.

By the acts of Congress approved July 25, 1866, and May 4, 1870, there were granted by the United States, to aid in the construction of this road, 4,700,000 acres of land in the State of Oregon. Roseville Junction, Cal., and Portland, Oreg., are the land-grant termini.

The records of the General Land Office show that to June 30, 1895, there had been patented to the company 1,162,067.28 acres. The records of the General Land Office also show that to the same date 810,880 acres of the grant of July 25, 1866, and the whole of the grant of May 4, 1870 (1,200,000 acres), had been forfeited by the company, and that 1,800,000 acres of railroad indemnity lands, located in Oregon, had been restored to the public domain.

The company submitted the following report on June 30, 1895, of the operations of its land department to date:

	Acres.
Acquired by United States patent	1,163,073.56
Disposed of for cash and on time contracts	381,402.78
Difference, unaccounted for	781,670.78

The company also reports that the total cash receipts from all sales to date had amounted to $946,952.81, and that there remained outstanding, on account of time sales, the sum of $700,064.64, principal and interest. The receipts during the year were $37,747.22, and the expenses $59,294.90. The average price per acre for all sales to date had been $3.40, and the average price now asked is $3.

The main line of this road extends from Portland, Oreg., to the California State line, a distance of 366.80 miles, and forms a part of the through line of the Southern Pacific Company to San Francisco. Branch lines extend from Portland to Corvallis, 96.50 miles; from Albany Junction to Lebanon, 11.50 miles; from Woodburn to Natron, 92.70 miles; from Portland to Airlie, 79 miles, and from Sheridan Junction to Sheridan, 7 miles. There are 42.17 miles of sidings on the main line and 32.14 miles of sidings on the branch lines. The total length of track owned and operated is 727.81 miles.

Steel rails are laid upon 639.09 miles and iron rails upon 88.72 miles of track. There are 403.32 miles of barbed-wire fencing. There were 2,169.80 tons of new steel rails laid during the year, at a cost of $93,424.64, and 168,874 new cross-ties placed in the track, at a cost of $47,184.17. The cost of additions and betterments to railway amounted during the year to $165,505.82. The decrease to rolling stock during the year (credit) amounted to $22,825.33. The assessed valuation of roadway, bridges, track, buildings, etc., for taxation is $2,563,840, and of rolling stock and equipment $436,358.

At the end of the year the equipment consisted of 57 locomotives, all equipped with Westinghouse brakes. In the passenger service there

were 6 sleeping, 44 first-class, 2 second-class, 10 baggage, 11 mail and express, 3 express, and 3 combination cars, total 79, of which 76 were equipped with Westinghouse brakes and 79 with Miller platforms. In the freight service there were 532 box, 21 stock, 8 furniture, 385 flat, 80 combination, 22 fruit, and 16 caboose cars, total 1,064, of which 299 were equipped with Westinghouse brakes and 31 with Miller and California couplers and platforms. In the road and miscellaneous service there were 1 derrick tender, 2 pile drivers, 1 station and 20 dump cars.

The following statements show the financial condition of the company on June 30, 1895:

ASSETS.

Cost of road, fixtures, and equipment	$36,242,212.78	
Real estate other than road	37,089.10	
Land contracts	700,064.64	
Company's stocks and bonds owned by company	783,000.00	
Sinking fund in hands of trustees	52,838.46	
Bills receivable	1,009.21	
Accounts receivable	17,101.59	
Total		$37,833.315.78

LIABILITIES.

First-mortgage bonds	19,625,000.00	
Dividends unpaid	2,045.73	
Accounts payable	696,721.07	
Total debt	20.323,766.80	
Capital stock	19,000,000.00	
Total stock and debt		39,323,766.80
Deficit		1,490,451.02

Revenue and expenditures for year ended June 30, 1895.

REVENUE.

Receipts of the land department	$33,133.86	
Rent from lease	5,000.00	
Miscellaneous	906.91	
Total		$39,040.77

EXPENDITURES.

Net loss in operation under lease with Southern Pacific Company, year ended December 31, 1894	541,355.71	
Expenses of the land department	59,268.93	
Sundry expenses	102.75	
Total		600,727.39
Deficit		561,686.62

Comparative statement of the earnings and expenses of the Oregon and California Railroad Company.

	Year ended—		Difference.	
	June 30, 1895.	June 30, 1894.	Increase	Decrease.
EARNINGS.				
Passenger	$666, 180. 57	$846, 774. 33	.....	$180, 593. 76
Freight	727, 708. 50	668, 020. 99	$59, 687. 51	.....
Mail	105, 392. 23	90, 666. 11	14, 726. 12	.....
Express	188, 373. 54	33, 711. 51	154, 662. 03	.....
Miscellaneous	21, 871. 32	29, 582. 25	.....	7, 710. 93
Total	1, 709, 526. 16	1, 668, 755, 19	40, 770. 97	.....
EXPENSES.				
Maintenance of way and structures	458, 913. 56	428, 125. 82	30, 787. 74	.....
Maintenance of equipment	176, 168. 81	119, 357. 50	56, 811. 31	.....
Conducting transportation	536, 745. 54	533, 109. 83	3, 635. 71	.....
General expenses and taxes	152, 987. 71	165, 835. 44	.....	12, 847. 73
Total	1, 324, 815. 62	1, 246, 428. 59	78, 387. 03	.....
Net earnings	384, 710. 54	422, 326. 60	.....	37, 616. 06
Miles operated	653. 50	653. 50	.....	.....
Earnings per mile	$2, 615. 95	$2, 553. 56	$62. 39	.....
Expenses per mile	2, 027. 26	1, 907. 31	119. 95	.....
Net earnings per mile	588. 69	646. 25	.....	$57. 56
Percentage of expenses to earnings	77. 49	74. 75	2. 74	.....

ST. JOSEPH AND GRAND ISLAND RAILROAD COMPANY.

(UNION PACIFIC RAILWAY COMPANY.)

This company is a consolidation of the St. Joseph and Marysville and the Grand Island and Marysville Railroad companies, organized in the States of Kansas and Nebraska. The property of this company includes the St. Joseph Bridge Building Company's bridge at St. Joseph and the entire line between St. Joseph, Mo., and Grand Island, Nebr. The property was placed in the hands of a receiver in 1874 and the road sold in foreclosure November, 1875. Of the land grant 300,000 acres were placed in the hands of trustees for the benefit of holders of land scrip.

By the act of Congress approved July 23, 1866, there were granted to the St. Joseph and Denver City Railroad Company (St. Joseph and Marysville), through the State of Kansas, to aid in the construction of the road, 1,700,000 acres of land. St. Joseph, Mo., and Grand Island, Nebr., are the land-grant termini. The records of the General Land Office show that to June 30, 1895, there had been patented to the company 462,573.24 acres. The company makes no report of the operations of its land department.

The main line of the road extends from St. Joseph, Mo., to Grand Island, Nebr., a distance of 251.06 miles. Since January 1, 1890, it has been operated as a part of the Union Pacific system, the latter company having a proprietary interest in the ownership of $2,301,500 of the capital stock. The former company, first applying its net earnings and income, is guaranteed by the latter company a fixed income.

On October 13, 1893, the property of this company passed into the hands of receivers.

There were no additions and betterments either to railway or rolling stock during the year. The assessed valuation of roadway, track, bridges, buildings, and equipment for taxation is given at $1,950,307.93. The entire road is laid with steel rails.

There were 85 tons of new steel rails laid during the year, at a cost of $2,392.97, and 36,153 oak cross-ties were placed in the track, at a cost of $18,378.66. There are 151 miles of barbed-wire fencing. At the end of the year the equipment consisted of 13 passenger, 11 freight, and 1 switching locomotive, total 25, of which number 24 were equipped with Westinghouse brakes. In the passenger service there were 6 first-class, 6 baggage, and 5 combination cars, total 17. In the freight service there were 465 box, 93 stock, 54 coal, 10 flat, and 12 caboose cars, total 634. In the road and miscellaneous service there were 1 derrick, 2 snowplows, 1 boarding, 20 dump, etc., 37 hand, and 38 push cars.

The express business on the company's lines is transacted by the Pacific Express Company and the telegraph business by the Western Union Company, under contract. Sundry contracts and agreements relative to terminal facilities, leases, interchange of traffic, and joint use of tracks have been entered into with other companies as follows: St. Joseph Terminal Railroad Company, St. Joseph Union Depot Company, Union Pacific Railway Company, Kansas City and Omaha Railroad Company, and Kansas City, Wyandotte and Northwestern Railroad Company.

The following statements show the financial condition of the company on June 30, 1895:

LIABILITIES.		
First-mortgage bonds	$6,998,000.00	
Certificates for first-mortgage bonds	21,126.57	
Interest on same, due and accrued	632,845.00	
Interest on first-mortgage bonds, accrued, not due	70,000.00	
Other funded debt	1,679,000.00	
Certificates for second-mortgage bonds	23,279.17	
Interest on other funded debt due and unpaid	530.00	
Bills payable	561,540.74	
Construction contract, Kansas City and Omaha Railroad Company	82,600.00	
Total	10,068,921.48	
Capital stock	4,600,000.00	
Total stock and debt		$14,668,921.48
ASSETS.		
Cost of road and fixtures	12,569,745.12	
Cost of equipment	673,975.00	
Stocks and bonds	97,800.00	
Accounts receivable	725,726.63	
Trustees' equipment and improvement fund	12.777.53	
Total		14,080,024.28
Deficit for year		588,897.20

Revenue and expenditures for year ended June 30, 1895.

REVENUE.

Earnings	$646,219.24	
Union Pacific Railway Company guaranty	*a* 381,520.11	
Total		$1,027,739.35

EXPENDITURES.

Operating expenses and taxes	608,274.86	
Interest on first-mortgage bonds, accrued	420,000.00	
Kansas City and Omaha Railroad Company guaranty	*b* 102,563.98	
Credit to corporate expenses	300.00	
Credit to new construction	375.42	
Total		1,130,163.42
Deficit		102,424.07

Comparative statement of the earnings and expenses of the St. Joseph and Grand Island Railroad Company.

	Year ended—		Difference.	
	June 30, 1895.	June 30, 1894.	Increase.	Decrease.
EARNINGS.				
Passenger	$145,319.09	$170,895.45	.....	$25,576.36
Freight	420,576.23	653,430.22	.....	232,853.99
Mail	28,922.36	26,686.20	$2,236.16	.....
Express	13,100.79	13,975.63	.....	874.84
Miscellaneous	38,300.77	39,575.21	.....	1,274.44
Total	646,219.24	904,562.71	.....	258,343.47
EXPENSES.				
Maintenance of way and structures	103,469.73	141,249.15	.....	37,779.42
Maintenance of equipment	59,613.39	76,529.56	.....	16,916.17
Conducting transportation	315,724.89	312,643.24	3,081.65	.....
General expenses and taxes	129,466.89	136,168.39	.....	6,701.50
Total	608,274.86	666,590.34	.....	58,315.48
Net earnings	37,944.38	237,972.37	.....	200,027.99
Miles operated	251.06	251.06	.....	.....
Earnings per mile	$2,573.96	$3,602.97	.....	$1,029.01
Expenses per mile	2,422.82	2,655.10	.....	232.28
Net earnings per mile	151.14	947.87	.....	796.73
Percentage of expenses to earnings	94.12	73.69	20.43	.....

ST. LOUIS, IRON MOUNTAIN AND SOUTHERN RAILWAY COMPANY.

(MISSOURI PACIFIC RAILWAY COMPANY.)

This company was organized by the consolidation, May 6, 1874, of the St. Louis and Iron Mountain, the Arkansas Branch, the Cairo and Fulton, and the Cairo, Arkansas and Texas Railroad companies. The main

a While this amount was taken up on the company's books on account of its traffic guaranty obligation, there was, in fact, no payment made during the period covered by this report.

b This represents the amount taken up on the company's books during the year ended June 30, 1895, as due it under the Union Pacific Railway Company's traffic contract, dated July 1, 1885. No amount has, however, been actually received.

line, which extends from St. Louis, Mo., to Texarkana, Tex., was opened in 1874. In 1881 the Missouri Pacific Railway Company acquired the ownership of the property. By the act of Congress approved February 9, 1853, there were granted to the Cairo and Fulton Railroad, through the States of Missouri and Arkansas, 1,178,411.05 acres of land, all of which has been patented to the company.

The land-grant termini of the St. Louis, Iron Mountain and Southern and the Cairo and Fulton railways are from Birds Point, on the Mississippi River, opposite Cairo, Ill., via Poplar Bluffs, Mo., Little Rock, Ark., and Texarkana, Ark.

The records of the General Land Office fail to show a grant of land to any of the roads named above, but under "forfeitures" (Land Office Report, 1888, p. 109) it is stated that "by the act of June 28, 1884, the grant to the Iron Mountain of 601,600 acres, from Pilot Knob, Mo., to Helena, was forfeited, and 10,000 acres of railroad-indemnity lands located in Missouri and 5,000 acres located in Arkansas have been restored." The records of the General Land Office do, however, show that to June 30, 1895, there had been patented to the St. Louis, Iron Mountain and Southern Railway Company 1,383,423.27 acres of land.

Under this head Poor's Manual of Railroads (1875–76, p. 615) contains the following:

> The company (St. Louis, Iron Mountain and Southern) is in possession of a land grant from the United States Government under acts of June 10, 1852, and February 9, 1853,* estimated to amount in Missouri to 388,540 acres and in Arkansas to 1,415,408 acres.

The company reports upon the operations of its land department in two divisions, namely, the Arkansas and the Missouri divisions. (See also Little Rock and Fort Smith Railway.)

Arkansas Division:		Acres.
Acquired by United States patent		1,329,640.04
Acquired by cancellation of contracts		233,520.32
Total		1,563,160.36
Sold for cash	305,952.47	
Sold on time	621,792.47	
Sold as town lots, for cash	98.50	
Sold as town lots, on time	227.65	
Donated for town lots	4.24	
Relinquished to Little Rock and Fort Smith Railway Company	6,108.47	
Relinquished, defective title	160.00	
Reclaimed by United States	1,960.00	
Owned by company	626,856.56	
		1,563,160.36

The total cash receipts from all sales to date had amounted to $2,534,269.49 (estimated), and there remained outstanding, on account of time sales, the sum of $215,953.65. The receipts during the year

*Cairo and Fulton and Little Rock and Fort Smith Railway companies.

amounted to $85,222.74, and the expenses during the same period to $50,114.31. The average price per acre for all sales to date has been $3.52, and the average price per acre now asked is $2.65.

Missouri Division:		Acres.
Acquired by United States patent		63,293.46
Acquired by cancellation of contracts		5,992.24
Total		69,285.70
Sold for cash	16,987.54	
Sold on time	39,025.35	
Sold as town lots, for cash	19.69	
Sold as town lots, on time	41.05	
Donated as town lots	.19	
Owned by company	13,211.88	
		69,285.70

The total cash receipts from all sales to date had amounted to $349,301.92, and there remained outstanding on account of time sales the sum of $14,631.52. The receipts during the year amounted to $74,428.33, and the expenses during the same period to $3,653.48. The average price per acre for all sales to date has been $2.63, and the average price per acre now asked is $3.

The main line of this road extends from St. Louis, Mo., to Texarkana, Ark., a distance of 489.78 miles. The company also owns and leases 1,283.69 miles; a total of 1,773.47 miles operated. At the end of the year there were 10.27 miles of double track and 369.95 miles of sidings. Steel rails were laid on 1,632.86 miles of track; there were 3,431 tons of new rails laid during the year, at a cost of $85,775, and 878,256 new oak cross-ties placed in the track at a cost of $211,948.10. There were 1,605 miles of barbed-wire fencing. There were 52.40 miles of track ballasted with stone, 419.95 miles with gravel, 184.07 miles with cinder, 1,108.32 miles with earth, and 4.99 miles with tailings. Additions and betterments to railway and equipment were effected through expense accounts, no separate improvement account being kept. There were added during the year 1 freight locomotive, 10 second-class, 2 mail, and 2 officers' cars.

At the end of the year the equipment consisted of 65 passenger, 149 freight, and 41 switching locomotives, 237 of which were equipped with Westinghouse, New York, and American train brakes. In the passenger service there were 22 first-class, 37 second-class, 12 mail, 42 baggage and express, 12 combination, and 6 officers' cars; total, 131; all equipped with Westinghouse brakes and Miller platforms. The freight service consisted of 5,269 box, 858 stock, 1,290 coal, 1,083 flat, 307 refrigerator, 396 furniture, and 120 caboose cars; total, 9,323. In the road and miscellaneous service there were 62 dump, 20 boarding, 11 wrecking, 290 hand, and 295 push cars, and 4 derricks.

The express business on the company's line of road is transacted by the Pacific Express Company under contract dated May 1, 1886, the railroad company receiving a percentage of the gross earnings. The

Pullman Palace Car Company runs its sleeping cars under contract dated November 1, 1886, on a mileage basis. The American Refrigerator Transit Company of Illinois, under contract dated January 1, 1894, furnishes refrigerator cars, receiving a mileage compensation for their use in addition to a revenue commission. The Western Union Company transacts the telegraph business on the company's lines under contract, bearing jointly the expense.

This company leases the Little Rock and Fort Smith Railway, one of the original roads coming under the jurisdiction of this Bureau, the earnings and expenses of which are merged with those of the lessee company. It also leases the Kansas and Arkansas Valley Railway, extending from Coffeyville, Kans., to Van Buren Junction, Ark., a distance of 164.63 miles.

By the act approved February 9, 1853, there were granted to the Little Rock and Fort Smith Railway Company 1,100,000 acres of land. Argenta, on left bank of Arkansas River, opposite Little Rock, Ark., and Garrison avenue, Fort Smith, Ark, are the land-grant termini. The records of the General Land Office show that to June 30, 1895, there had been patented to the company 1,057,647.55 acres. The lessee company makes a separate report of the operations of the land department of the Little Rock and Fort Smith Railway Company as follows:

		Acres.
Acquired by United States patent		1,058,431.98
Acquired by cancellation of contracts		169,651.68
Total		1,228,083.66
Sold	633,862.62	
Reclaimed by United States	832.48	
Lost through suits at law	307.52	
Disposed of by old company	4,206.70	
Balance owned by company	528,874.34	
		1,228,083.66

The total cash receipts from all sales to date had amounted to $2,456,290.95, and there remained outstanding on account of time sales the sum of $267,241.66. The receipts during the year amounted to $34,962.12, and the expenses during the same period to $27,685.80. The average price per acre for all sales to date had been $3.24, and the average price per acre now asked is $2.50.

The following statements show the financial condition of the company on June 30, 1895:

ASSETS.

Cost of road, fixtures, and equipment	$67,494,423.69	
Real estate other than road	514,494.89	
Land contracts, land cash, etc	1,929,777.71	
Stocks and bonds	6,369,272.76	
Bills receivable	10,427.66	
Accounts receivable	724,696.30	
Cash on hand	8,117.72	
Total		$77,051,210.73

LIABILITIES.

Funded debt	$44,505,216.51	
Interest on same, due and unpaid	404,313.50	
Interest on same accrued, not due	537,200.73	
Bills payable	3,191,855.85	
Accounts payable	1,541,921.24	
Total debt	50,180,507.83	
Capital stock	25 788,925.00	
Total stock and debt		$75,969,43
Surplus		1,081,77

Revenue and expenditures for year ended June 30, 1895.

REVENUE.

Earnings	$10,982,843.55	
Dividends on stocks of other companies	32,865.27	
Interest on bonds of other companies	1,750.00	
Discount and premium	14,652.26	
Sundry amounts	11,236.13	
Total		$11,043,34

EXPENDITURES.

Operating expenses, rental, and taxes	$7,954,968.84	
Interest on funded debt	2,450,288.77	
Interest on other debt	190,279.36	
Expenses of traffic associations	10,777.72	
Compensation retained by United States	15,662.09	
Sundry amounts	7,743.28	
Commissions paid for extending mortgage bonds	75,000.00	
Reduction in valuation of investment of Wabash Railroad 6 per cent debenture bonds	2,505,428.79	
Total		$13,210,14
Deficit		2,166,80

Comparative statement of the earnings and expenses of the St. Louis, Iron Mountain Southern Railway Company.

	Year ended—		Difference.	
	June 30, 1895.	June 30, 1894.	Increase.	Decrea
EARNINGS.				
Passenger	$1,933,805.78	$2,101,161.33	.....	$167,3
Freight	8,198,265.80	7,763,442.64	$434,823.16	.....
Mail	310,157.75	293,526.95	16,630.80	.....
Express	251,625.93	244,389.05	7,236.88	.....
Miscellaneous	288,988.29	273,592.46	15,395.83	.....
Total	10,982,843.55	10,676,112.43	306,731.12	.....
EXPENSES.				
Maintenance of way and structures	1,600,862.18	1,832,693.13	.....	231,8
Maintenance of equipment	1,199,604.53	1,240,268.90	.....	40,6
Conducting transportation	4,211,250.47	3,904,515.06	306,735.41	.....
General expenses and taxes	247,299.78	551,328.46	.....	304,0
Total	7,259,016.96	7,528,805.55	.....	269,7
Net earnings	3,723,826.59	3,147,306.88	576,519.71	.....
Miles operated	1,773.47	1,773.47	.....	.....
Earnings per mile	$6,192.85	$6,019.89	$172.96	.....
Expenses per mile	4,093.11	4,245.23	.....	$1
Net earnings per mile	2,099.74	1,774.66	325.08	.....
Percentage of expenses to earnings	66.09	70.52	.....	

ST. LOUIS AND SAN FRANCISCO RAILWAY COMPANY.

(ATCHISON, TOPEKA AND SANTA FE RAILROAD COMPANY.)

This company is the successor of the Southwest Branch of the Pacific Railroad of Missouri. The general assembly of the State of Missouri, by act approved December 25, 1852, authorized the Pacific Railroad (now the Missouri Pacific Railway Company) to construct a branch from any point on its main line east of the Osage River to any point on the western boundary of the State south of said river, and the land grant was accepted on this line from St. Louis to the State boundary. This branch (now the St. Louis and San Francisco) was called the Southwestern Branch Railroad, and remained a part of the property of the Pacific Railroad until it was taken possession of by the State, under the act of February 9, 1866, and sold. In 1872 the road was leased to the Atlantic and Pacific Railroad Company (which see), in which road this company is equally interested with the Atchison, Topeka and Santa Fe Railroad Company.

The report of the company shows that during the year ended June 30, 1895, the road was operated by receivers appointed December 23, 1893, under decree of the circuit court of the United States for the district of Missouri, in the eighth circuit, the receivers being Joseph W. Reinhart, John J. McCook, and Joseph C. Wilson. On August 23, 1894, Aldace F. Walker was appointed receiver in place of Joseph W. Reinhart, resigned. The report of the company includes the assets and liabilities of the corporation and of the receivers, which are combined for the purpose of showing the actual financial condition of the property.

The records of the General Land Office show that by the act of June 10, 1852, there were granted to the Southwest Branch of the Pacific Railroad of Missouri 1,161,235.07 acres of land, of which 728,949.30 acres had been patented to June 30, 1895.

The company makes no report upon the operations of its land department, but Poor's Manual, 1895, page 942, contains the following:

The grant of 1852 to the South Pacific was 1,161,244.47 acres, of which 111,035.96 acres remain unsold.

The main line of road extends from St. Louis, Mo., to Seneca, Mo., a distance of 326.28 miles. The company also owns 719.91 miles of branch lines and leases 281.98 miles, a total of 1,328.17 miles operated. There are 82.03 miles of sidings on the main line and 133.27 miles of branches, an aggregate of 1,543.47 miles of track.

The additions and betterments to railway during the year amounted to $46,834.58. There were no additions to rolling stock. There were 3,843 tons of steel rails laid during the year, at a cost of $102,047.70, and 501,306 new oak cross-ties placed in the track, at a cost of $141,803.90.

At the end of the year there were 50 passenger, 122 freight, and 16 switching locomotives in service, exclusive of 12 freight locomotives

leased; total, 200. In the passenger service there were 22 chair, 28 first-class, 25 second-class, 39 baggage, mail, and express, 27 combination, and 2 officers' cars; total, 143. In the freight service there were 2,360 box, 832 stock, 1,939 coal, 12 flat, 60 short mining, 50 refrigerator, 1 furniture, and 108 caboose cars; total, 5,362. In road and miscellaneous service there were 3 derricks, 164 dump, 3 boarding, and 1 wrecking car. The express business on the company's lines is transacted by the Wells-Fargo Company, the railway receiving a percentage of earnings, with a fixed minimum. The Pullman Palace Car Company runs its cars over the railway company's lines on a mileage basis.

The following statements show the financial condition of the company on June 30, 1895:

ASSETS.

Cost of road, fixtures, equipment, and real estate	$66,599,866.20	
Land contracts, land cash, etc	23,301.27	
Fuel, material, and stores on hand	381,178.36	
Cash on hand	172,998.95	
Company's stocks and bonds owned by company	23,640,700.00	
Other stocks and bonds	4,368,796.89	
Miscellaneous investments	440,008.80	
Cash deposited with various trust companies, etc., for payment of coupons, etc	16,324.96	
Bills and accounts receivable	6,092,626.00	
Due from other companies on account of traffic	23,353.02	
Equipment leases	47,201.00	
Suspense accounts	134,230.61	
Total		$101,940,586.06

LIABILITIES.

First-mortgage bonds	42,419,300.00	
Interest on same, due and accrued	1,932,741.00	
Interest on same, accrued, not due	343,683.73	
Equipment lease warrants	21,883.40	
Receivers' notes	400,000.00	
Accounts payable	1,715,853.37	
Pay rolls and vouchers	621,445.46	
Due other companies on account of traffic	22,824.87	
Called bonds	44,000.00	
Canceled bonds	1,809,000.00	
Taxes accrued, not yet due	75,928.56	
H. W. Gardiner, jr., land department	23,301.27	
Deferred income account, coupons on Atlantic and Pacific Railroad Company, Western Division, second mortgage 6 per cent bonds	137,820.00	
Total	49,567,781.66	
Capital stock	50,000,000.00	
Total stock and debt		99,567,781.66
Surplus		2,372,804.40

Revenue and expenditures for year ended June 30, 1895.

EXPENDITURES.		
Operating expenses and taxes	$3,940,658.67	
Interest on other funded debt	2,410,578.67	
Other deductions	355,810.71	
Total		$6,707,048.05
REVENUE.		
Earnings	6,081,424.41	
Profits, dividends, and interest on bonds and stocks of other companies and on miscellaneous investments	9,733.10	
Total		6,091,157.51
Deficit		615,890.54

ST. PAUL AND DULUTH RAILROAD COMPANY.

This company is successor, by reorganization, to the Lake Superior and Mississippi Railroad Company. The original charter under which the road was built was granted by the State of Minnesota to the Nebraska and Lake Superior Railroad Company May 23, 1857, the terminal points of that line being the west end of Lake Superior and the Nebraska line. By amendatory act of March 8, 1861, the name was changed to Lake Superior and Mississippi Railroad Company, the route being at the same time changed so as to terminate at the Mississippi River, with a right to extend to the Minnesota River; the construction of a branch line to the St. Croix River was also authorized.

By the acts of Congress approved May 5, 1864, and July 13, 1886, there were granted to the company, through the State of Minnesota, 920,000 acres of land. St. Paul, Minn., and Duluth, Minn., are the land-grant termini.

The records of the General Land Office show that to June 30, 1895, there had been patented to the company 828,510 acres of land. The records of the General Land Office also show that 8,000 acres of railroad indemnity lands belonging to the company, located in Minnesota, had been restored to the public domain.

The company submits the following report on June 30, 1895, of the operations of the land department to date:

		Acres.
Acquired by United States patent		816,083.55
By patent from the State of Minnesota		691,085.55
Total		1,507,169.10
Sold for cash and on time contracts	456,659.21	
Donated	155.53	
	456,814.74	
Less contracts canceled	2,170.95	
	454,643.79	
Owned by company	1,052,515.31	1,507,159.10
Deficit unaccounted for		10.00

Poor's Manual, 1895, page 275, contains the following relative to the company's land department:

Lands earned: Congressional grant, 992,000 acres, and State (swamp-land) grant, 694,400 acres; total, 1,686,400 acres. Lands received: Congressional grant, 816,083.55; State, 690,503; total, 1,506,586.55 acres. Unsold, June 30, 1893, 1,093,180.14 acres; acquired by cancellation of contracts during the year, 240 acres; under swamp-land grant, 160 acres; and there were sold 15,887.95 acres, leaving 1,077,692.19 acres unsold June 30, 1894. Preferred stock is receivable at par for lands sold.

The company also reports the total cash receipts from all sales to date as $2,229,112.49 and the amount outstanding on account of time sales as $229,466.51. The receipts during the year were $145,408.94, and no expenses charged. The average price per acre for all sales to date has been $4.90, and the average price per acre now asked is $5.

The main line of road extends from St. Paul, Minn., to Duluth, Minn., a distance of 155 miles. The company also owns 28.50 miles, and leases 63.94 miles of branch lines, a total of 239.24 miles operated.

The additions and betterments to railway during the year amounted to $2,850.76 and no expense incurred for rolling stock.

At the end of the year there were 16.50 miles of double track, 98.11 miles of sidings on the main line, and 21.13 miles of sidings on the branches. Of the main line 237.85 miles are laid with steel rails. The ballast consists of 150.35 miles of gravel and 97.10 miles of earth.

During the year there were laid 856 tons of steel rails, at a cost of $26,964, and 112,704 new cross-ties were placed in the track, at a cost of $24,569.47. There are 221.25 miles of barbed-wire fencing.

At the end of the year the equipment consisted of 19 passenger, 33 freight, and 10 switching locomotives; total, 62, of which number 28 were equipped with Westinghouse and Eames vacuum brakes; 7 sleeping, 5 chair, 17 first-class, 17 second-class, 3 mail, 6 baggage, 15 combination, and 2 officers' cars, a total of 72 cars in the passenger service. In the freight service there were 1,892 box, 5 stock, 23 coal, 332 flat, 2 milk, 9 refrigerator, 16 furniture, and 20 caboose cars; total, 2,299. There were also 68 hand, 50 push, 3 wrecking, 2 boarding, 1 engineers' and 1 bridge-repair car in road and miscellaneous service.

The company pays a percentage of its gross earnings in lieu of all taxes. The express business on the company's lines is transacted by the Adams Express Company under contract. The company runs its own sleeping cars. Sundry leases, contracts, and agreements have been entered into by the company for right of way and use of tracks and depot with the Duluth and Iron Range, the Wisconsin Central, the Minneapolis, St. Paul and Sault Ste. Marie, the Burlington, Stillwater and Duluth Railroad companies, and with the Duluth Union Depot Company.

The following statements show the financial condition of the company on June 30, 1895:

ASSETS.

Cost of road and fixtures	$10,724,506.85	
Cost of equipment	1,960,715.93	
Land contracts, land cash, etc	359,899.01	
Fuel, material, and stores on hand	55,583.67	
Cash on hand	275,332.41	
Stocks and bonds other than company's	1,499,163.94	
Miscellaneous investments	60,058.85	
Sinking fund in hands of trustees—company's	121,793.29	
Bills receivable	11,813.75	
Accounts receivable (due from agents and conductors)	58,903.04	
Due from other companies, on account of traffic	42,791.10	
Due from other companies and individuals	25,056.32	
Other assets	126,412.12	
Total		$15,322,030.28

LIABILITIES.

First and second mortgage bonds	3,000,000.00	
Interest on same, due and accrued	150.00	
Interest on same, accrued, not due	45,833.33	
Other funded debt (bonds guaranteed)	710,000.00	
Interest on other funded debt, due and unpaid	50.00	
Interest on other funded debt, accrued, not due	14,633.33	
Dividends unpaid	2,567.75	
Accounts payable	106,694.91	
Pay rolls and vouchers	154,733.46	
Redemption fund for retirement of preferred stock	1,724.64	
Preferred stock canceled	578,887.00	
Sinking fund for redemption of Taylor's Falls and Lake Superior Railroad bonds	121,793.29	
Land accounts, deferred receipts	359,899.01	
Land and stumpage income expended prior to July 1, 1888, on improvement, construction, and equipment	690,776.40	
Total debt	5,787,743.12	
Capital stock	9,453,331.11	
Total stock and debt		15,241,074.23
Surplus		80,956.05

Revenue and expenditures for year ended June 30, 1895.

REVENUE.

Earnings	$1,423,306.74	
Dividends on stocks of other companies	10,500.00	
Interest on bonds of other companies	74.56	
Receipts of the land department	145,396.89	
Rentals	24,828.88	
Interest and exchange	4,158.46	
Total		$1,608,265.53

EXPENDITURES.

Operating expenses and taxes	$1,060,914.74	
Interest on first-mortgage bonds	50,000.00	
Interest on second-mortgage bonds	100,000.00	
Dividend No. 25, 2½ per cent, September 1, 1894	119,722.50	
Dividend No. 26, 2½ per cent, March 1, 1895	119,752.50	
Expenses of the land department	28,744.44	
Rentals	119,943.97	
Other deductions	67,306.56	
Total		$1,666,384.71
Deficit		58,119.18

Comparative statement of the earnings and expenses of the St. Paul and Duluth Railroad Company.

	Year ended—		Difference.	
	June 30, 1895.	June 30, 1894.	Increase.	Decrease.
EARNINGS.				
Passenger	$387,943.83	$422,868.43		$34,924.60
Freight	990,260.60	1,046,007.44		55,746.84
Mail	21,137.52	21,142.74		5.22
Express	22,500.00	22,500.00		
Miscellaneous	1,464.79	875.00	$589.79	
Total	1,423,306.74	1,513,393.61		90,086.87
EXPENSES.				
Maintenance of way	187,823.35	212,520.32		24,696.97
Motive power	152,964.74	155,549.93		2,585.19
Maintenance of cars	522,456.01	543,244.09		20,788.08
General expenses and taxes	197,670.64	193,036.45	4,634.19	
Total	1,060,914.74	1,104,350.79		43,436.05
Net earnings	362,392.00	409,042.82		46,650.82
Miles operated	239.24	247.44		8.20
Earnings per mile	$5,949.28	$6,116.20		$166.92
Expenses per mile	4,434.52	4,463.10		28.58
Net earnings per mile	1,514.76	1,653.10		138.34
Percentage of expenses to earnings	74.54	72.97	1.57	

ST. PAUL, MINNEAPOLIS AND MANITOBA RAILWAY COMPANY.

(GREAT NORTHERN RAILWAY COMPANY.)

The original charter for the construction of this road was granted by the State of Minnesota to the Minnesota and Pacific Railroad Company (afterward St. Paul and Pacific) May 22, 1857. The line was to extend from Stillwater, via St. Paul and St. Anthony, to Breckenridge, and a branch from St. Anthony, via St. Cloud and Crow Wing, to St. Vincent, with power to extend the main line to any point on the Missouri River north of the forty-fifth parallel, and to build a line from Winona to St. Paul. The several lines of the St. Paul and Pacific Railroad (first division) were purchased at foreclosure sale at the time of organization of the present company (May 23, 1879). This mileage was subsequently

increased by construction of branches and extensions, so that on June 30, 1894, the total length of lines owned, as reported by Poor, equaled 3,721.20 miles.

By the acts of Congress approved March 3, 1857, and March 3, 1865, there were granted to the Minnesota and Pacific Railroad Company, through the State of Minnesota, 885,000 acres, and to the St. Paul and Pacific 1,838,638.95 acres, a total grant of 2,723,638.95 acres of land.

St. Paul, Minn., and Breckenridge Minn.; St. Paul, via St. Cloud and Barnesville, Minn., and Cape Vincent, Minn.; and East St. Cloud and Sauk Rapids are the land-grant termini.

The records of the General Land Office show that to June 30, 1895, there had been patented to these companies 2,919,856.20 acres, a difference of 196,217.25 acres between the number of acres patented and granted. An explanation of this difference may be found in the following extract from Poor's Manual of Railroads, 1884, page 748:

> In 1880-81 the company (St. Paul, Minneapolis and Manitoba) acquired the charter of the Minneapolis and St. Cloud Railway Company, to which was attached a grant of land of 10 sections per mile,

although the records of the General Land Office fail to show a grant of land to the last-named company.

The company makes the following report of the operations of its land department:

		Acres.
Received by patent of State of Minnesota		3,212,468.19
Sold from same for cash	206,440.16	
Sold from same on time contracts	1,207,389.91	
	1,413,830.07	
Decreed to Northern Pacific Railroad Company by United States Supreme Court	365,860.92	
Owned by company	830,397,26	
		2,610,088.25
Deficit		602,379.94

The company also reports that the total cash receipts from all sales to date had amounted to $7,450,733.36, and there remained outstanding on account of time sales the sum of $1,494,941.04. The receipts during the year from Congressional lands were $239,127.98 and the expenses $40,288.22. The average price per acre for all sales to date is "about" $6.50, and the average price per acre now asked is $6 to $10.

Poor's Manual, 1895, page 472, reports as follows upon the company's land department:

> Total grant (10 sections per mile), 3,848,000 acres, of which certified, 3,479,611.36 acres. Total acreage deeded to the company prior to June 30, 1894, 3,199,618.37; less decreed to the Northern Pacific by United States Supreme Court, March 2, 1891, 365,860.92 acres; leaving net acreage deeded, 2,833,757.45. Sold to June 30, 1894, 2,201,309.36 acres; contracts canceled, 197,734.75 acres; unsold, 1,476,036.75 acres. Sales, year ending June 30, 1894, 20,051.48 acres for $157,473.36, an average of $7.85 per acre. There were also sold 65 town lots for $2,847.25, an average of $43.80 per

lot. Cash receipts for year, including interest, etc., $150,554.08. Expenses, $42,296.60. Net receipts, $108,257.48. Deferred payments due company, bearing interest at 7 and 6 per cent, $1,524,782.51.

On January 31, 1890, the property of this company was leased for nine hundred and ninety-nine years to the Great Northern Railway Company, which assumed all its obligations and guaranteed dividends of 6 per cent in gold annually on its capital stock. The company, on account of the lease of its road, makes no detailed report of operations.

At the end of the year the total length of road is given as 3,719.94 miles, with 50.16 miles of second, third, fourth, fifth, and sixth track, and 475.42 miles of sidings. There were 3,932 bridges and trestles, aggregating 307,285 feet in length, and 16 tunnels with an aggregate length of 6,343 feet, the longest tunnel being 1,492 feet. The gauge of track is 4 feet 8½ inches.

The additions and betterments to railway during the year amounted to $611,897.15, and none to rolling stock. The total number of miles of steel rails was 3,558.79; of iron rails, 211.31, and of iron and steel, 475.42 miles.

The following statements show the financial condition of the company on June 30, 1895:

ASSETS.

Cost of road, fixtures, and land	$102,611,897.15	
Cost of equipment	9,063,458.55	
Premium, first-mortgage bonds	283,905.00	
Accounts receivable	152,514.69	
Cash on hand	785,370.20	
Total		$112,897,145.59

LIABILITIES.

Funded debt	84,958,384.85	
Accounts payable	350,244.24	
Pay rolls and vouchers	7,749.60	
Sinking funds uninvested, first-mortgage bonds	5,649,101.28	
Sinking funds uninvested, consol-mortgage bonds	22,219.01	
Total debt	90,987,698.98	
Capital stock	20,000,000.00	
Total stock and debt		110,987,698.98
Surplus		1,909,446.61

Revenue and expenditures for year ended June 30, 1895.

REVENUE.

Receipts of the land department	$239,127.98	
Rental under lease to Great Northern Railway Company	4,721,440.20	
Total		$4,960,568.18

EXPENDITURES.

Maintenance of organization	$6,574.02	
Interest on first-mortgage bonds	162,463.00	
Interest on other funded debt	3,352,403.18	
Sinking fund, net increase for year	198,839.76	
Dividends	1,200,000.00	
Expenses of the land department	40,288.22	
Total		$4,960,568.18

SIOUX CITY AND PACIFIC RAILROAD COMPANY.

(CHICAGO AND NORTHWESTERN RAILWAY SYSTEM.)

This road was included in the acts of 1862 and 1864, incorporating the Union Pacific Railroad Company, being provided for as one of the branches. In 1884 it passed under the control of the Chicago and Northwestern Railway Company by the purchase and transfer to the latter of all but a few shares of the capital stock, and is now, in connection with its former leased line (the Fremont, Elkhorn and Missouri Valley Railroad), operated as part of the Chicago and Northwestern Railway system on its through line from Omaha, Nebr., to St. Paul, Minn.

The United States issued to the Sioux City and Pacific Railroad Company the sum of $1,628,320 in bonds to aid in the construction of 101.77 miles of road, as follows: From Sioux City, Iowa, to California Junction, Iowa, a distance of 69.75 miles, and from California Junction, Iowa, to Fremont, Nebr., 32.02 miles. That portion of the line between California Junction and Missouri Valley is non subsidized. The interest paid on these bonds to June 30, 1895, had amounted to $2,636,687.89, and there had been retained by the Treasury Department, on account of transportation services rendered the Government, the sum of $231,938.23, leaving due on that date an aggregate amount of $4,033,069.66. The excess of interest paid by the United States above all credits had amounted to $2,404,749.66.

By the Pacific railroad acts of 1862 and 1864 this company was granted 60,000 acres of land in aid of construction. The records of the General Land Office show that to June 30, 1895, there had been patented to the company in the State of Nebraska 37,055.12 acres, and in the State of Iowa 4,343.11 acres; total, 41,398.23 acres of land. All of this land was sold to the Missouri Valley Land Company, April 15, 1875, for $200,000. Sioux City, Iowa, via California Junction, and Fremont, Nebr., are the land-grant termini.

The main line of road extends from Sioux City, Iowa, to Fremont, Nebr., a distance of 101.58 miles, with a branch line from California Junction to Missouri Valley, Iowa, a distance of 5.84 miles, making a total of 107.42 miles. It is practically all laid with 60-pound steel rails. There are 30.47 miles of sidings and 97.50 miles of barbed-wire fencing.

At the close of the year the equipment consisted of 5 passenger, 4 freight, and 2 switching locomotives, all equipped with Westinghouse brakes. In the passenger service there were 5 second-class, 3 baggage, 5 combination, and 1 officers' cars, all equipped with Westinghouse brakes and Miller platforms. In the freight service there were 290 box, 20 stock, 46 flat, and 12 caboose cars, and in road and miscellaneous service 1 dump and 2 boarding cars, a total of 375 cars in the freight and road service, 221 of which were equipped with Westinghouse brakes and Miller platforms.

The additions and betterments to railway during the year amounted to $64.14 and to rolling stock $47.75. The assessed valuation of roadway, track, buildings, rolling stock, etc., for purposes of taxation was $605,072, an average of $5,625 per mile.

An agreement was made by the company with the American Express Company, which took effect April 16, 1894, the same to remain in force until April 1, 1899, whereunder the freight of the express company is to be transported over the lines of the Sioux City and Pacific Railroad Company for an annual payment for an estimated tonnage and an agreed schedule of rates for any excess of tonnage. Wagner and Pullman sleeping cars are run over the company's lines, the latter paying mileage for their use; the former make all the collections and pay the cost of maintenance, with sundry petty exceptions, which are paid by the railroad company. Trackage rights are granted by agreement and for consideration to the Fremont, Elkhorn and Missouri Valley, the Union Pacific, the Chicago, St. Paul, Minneapolis and Omaha, and the Illinois Central Railroad companies, and the use by the Chicago, St. Paul, Minneapolis and Omaha of the passenger depot at Sioux City. By an agreement dated April 1, 1871, filed with the Commissioner of Railroads May 7, 1887, the company leased its telegraph lines to the Western Union Telegraph Company for a period of twenty-five years from April 1, 1871.

The following statements show the financial condition of the company on June 30, 1895:

ASSETS.

Cost of road, fixtures, and equipment	$5,749,007.31	
Fuel, material, and stores on hand	46,732.64	
Accounts receivable	40,920.87	
Due from other companies on account of traffic	7,971.83	
Half Government transportation on aided road applied to bond and interest account	86,281.03	
Government transportation on nonaided road applied to bond and interest account	21,255.99	
Due from United States, unsettled accounts	263,951.87	
Cash on hand	170,933.58	
Total		$6,387,055.12

LIABILITIES.

First-mortgage bonds	$1,628,000.00	
Interest on same, due and accrued	1,140.00	
Interest on same, accrued, not due	48,840.00	
United States subsidy bonds	1,628,320.00	
Interest on same, paid by United States	2,636,687.89	
Interest on preferred stock, accrued, not due	2,957.51	
Pay rolls and vouchers	48,110.00	
Total debt	5,994,055.40	
Capital stock	2,068,400.00	
Total stock and debt		$8,062,455.40
Deficit		1,675,400.28

Revenue and expenditures for year ended June 30, 1895.

REVENUE.

Earnings	$437,428.68	
Profit and loss	3,832.82	
Total		$441,261.50

EXPENDITURES.

Operating expenses	294,173.87	
Interest on first-mortgage bonds	97,680.00	
Interest on other funded debt	97,699.20	
New construction	64.14	
New equipment	47.75	
Interest on preferred stock	11,830.00	
Total		501,494.96
Deficit		60,233.46

Statement of amount due the United States by the Sioux City and Pacific Railroad Company, under the acts of 1862 and 1864, for the year ended December 31, 1894.

EARNINGS.

United States:		
Passenger	$698.79	
Freight	731.15	
Mail	26,157.60	
		$27,587.54
Commercial:		
Passenger	185,749.95	
Extra baggage	4,558.86	
Freight	200,280.17	
Express	8,430.90	
Miscellaneous	15,260.66	
		414,280.54
Total earnings		441,868.08

EXPENSES.

Maintenance of way and structures	$35,821.58	
Maintenance of equipment	24,356.41	
Conducting transportation	180,744.34	
General expenses and taxes	43,102.33	
Total operating expenses	284,024.66	
New construction and equipment	595.71	
Total expenses		$284,620.37
Net earnings		157,247.71

DUE THE UNITED STATES.

One-half Government transportation as above	13,793.77	
Five per cent of net earnings under act of 1862	7,862.39	
Total for the year		21,656.16

Comparative statement of the earnings and expenses of the Sioux City and Pacific Railroad Company.

	Year ended—		Difference.	
	June 30, 1895.	June 30, 1894.	Increase.	Decrease.
EARNINGS.				
Passenger	$195,160.56	$209,307.29	.....	$14,146.73
Freight	187,700.69	228,331.70	.....	40,631.01
Mail	28,128.96	28,128.96	.....	.....
Express	9,120.81	9,021.07	$99.74	.....
Miscellaneous	17,317.66	18,722.34	.....	1,404.68
Total	437,428.68	493,511.36	.....	56,082.68
EXPENSES.				
Maintenance of way and structures	38,766.19	57,752.08	.....	18,985.89
Maintenance of equipment	24,230.09	26,726.67	.....	2,496.58
Conducting transportation	187,708.34	201,581.34	.....	13,873.00
General expenses and taxes	43,469.25	44,730.06	.....	1,260.81
Total	294,173.87	330,790.15	.....	36,616.28
Net earnings	143,254.81	162,721.21	.....	19,466.40
Miles operated	107.42	107.42	.....	.....
Earnings per mile	$4,072.13	$4,594.22	.....	$522.09
Expenses per mile	2,738.54	3,079.41	.....	340.87
Net earnings per mile	1,333.59	1,514.81	.....	181.22
Percentage of expenses to earnings	67.25	67.03	.22	.....

SOUTHERN PACIFIC RAILROAD COMPANY OF CALIFORNIA.

(SOUTHERN PACIFIC COMPANY.)

This company was formed in 1870 by the consolidation of the Southern Pacific, the San Francisco and San Jose, the Santa Clara and Pajaro Valley, and the California Southern Railroad companies. In 1873 the Southern Pacific Branch and in 1874 the Los Angeles and San Pedro Railroad companies were added, making a total of 1,022.20 miles operated on the last-named date. The main line of the road

extends from San Francisco and Wilmington, Cal., to State line, near Yuma, and was opened May 5, 1877. From the California boundary the road was extended eastwardly by the Southern Pacific Railroad companies of Arizona and New Mexico, connection being made by the latter with the Atchison, Topeka and Santa Fe Railroad at Deming, N. Mex. Subsequently the line was extended to the Rio Grande River at El Paso, where connection is made with the Mexican Central to the City of Mexico, and with the Galveston, Harrisburg and San Antonio to New Orleans. The through line, including the Texas and New Orleans, the Louisiana Western, and the Morgan's, Louisiana and Texas railroads, passed under the control of the Southern Pacific Company March 1, 1885, as lessee of the Southern Pacific Railroad of California.

By the acts of Congress approved July 27, 1866, and March 3, 1871, this company received grants of 14,007,840 acres of land in aid of construction. San Jose and Tres Pinos, Cal.; Huron, via Goshen, Tulare, Mojave, Los Angeles, and the Colorado River opposite Yuma, Ariz.; New Orleans, La., and Morgan City, La., are the land-grant termini.

The records of the General Land Office show that to June 30, 1895, there had been patented to the company in the State of California 2,824,733.65 acres; that 3,800,000 acres of railroad indemnity lands, located in California, have been restored to the public domain, and that, by a decision of the Commissioner of the General Land Office, affirmed by the Secretary of the Interior under date of November 2, 1885, there had also been restored to the public domain 550,000 acres of land.

The company submitted the following report on June 30, 1895, of the operations of its land department to date:

		Acres.
Acquired by United States patent		2,810,145.41
By deeds from master in chancery and decisions of court		2,592.73
By cancellation of contracts		170,422.69½
		2,983,160.83½
Less deductions by decrees of court		5,620.76
Total		2,977,540.07½
Disposed of for cash, patented and unpatented	332,324.41½	
On time contracts	3,101,345.14	
By quitclaim sales	79,159.92	
	3,512,829.47½	
Owned by company	876,843.20	
		4,389,672.67½
Difference, excess		1,412,132.60

The company also reports that the total cash receipts from all sales to date had amounted to $8,878,458.59, principal and interest, and that there remained outstanding on account of time sales the

sum of $4,010,514.49, principal and interest. The receipts of the land department during the year were $139,255.97, and the expenses $57,722.32.

This road is operated in three divisions, as follows: Coast Division, Southern Division, and Stockton or Colorado Division, with a total of 1,634.68 miles operated. The mileage between Mojave, Cal., and The Needles (242.51 miles) is included in the mileage of the company, as it is covered by its thirty-year 6 per cent bonds; but said line is perpetually leased and the contract delivered for its sale to the Atlantic and Pacific Railroad Company, that company paying an annual rental of $436,266 for its use, being an amount equal to the interest on the bonds which were issued on said line.

Steel rails are laid upon 1,600.99 miles of road. During the past year 3,136 tons of steel rails were laid at a cost of $141,129.36, and 388,374 cross-ties were placed in the track at a cost of $195,972.84. The amount expended during the year for additions and betterments to railway amounted to $113,301.27, and to rolling stock to $45,515.41.

The assessed valuation of roadway, bridges, track, and rolling stock for purposes of taxation was $16,000,000, an average of $9,214.46 per mile; and the assessed valuation of real estate, buildings, tools, and furniture, for the same purpose, was $1,613,015.

At the end of the year the equipment consisted of 159 passenger and 13 switching locomotives, all equipped with Westinghouse brakes; 2 dining, 50 first-class and 13 second-class sleepers, 160 first-class, 30 second-class, 30 baggage, mail, and express, 2 mail, 22 baggage, 1 express, 11 combination passenger and baggage, and 3 officers' cars, a total of 324 cars in the passenger service, all of which were equipped with Westinghouse brakes and Miller platforms. In the freight service there were 1,960 box, 78 furniture, 135 coal, 664 flat, 488 combination, 5 refrigerator, 264 fruit, 2 oil-tank, and 86 caboose cars, a total of 3,691 cars in the freight service, 3,606 of which were equipped with Westinghouse brakes and 344 with Miller and California couplers and platforms. In road and miscellaneous service there were 41 station and 19 water cars, 1 derrick, 1 wrecking car, and 5 pile-driver tenders. Contracts with express, transportation, and telegraph companies are made with the Southern Pacific Company, as lessee.

The following statements show the financial condition of the company on June 30, 1895:

ASSETS.

Cost of road, fixtures, and equipment	$130,182,264.98	
Land contracts, land cash, etc	3,418,885.80	
Sinking funds in hands of trustees	1,544,754.21	
Bills receivable	500.00	
Accounts receivable	7.41	
Cash on hand	30,353.98	
Total		$135,176,766.38

LIABILITIES.

First-mortgage bonds	$50,923,500.00	
Bills payable	16,000.00	
Accounts payable	120,552.80	
Trustees' land-grant mortgage	421,081.86	
Sinking funds uninvested	26,972.35	
Total debt	51,508,107.01	
Capital stock	68,402,900.00	
Total stock and debt		$119,911,007.01
Surplus		15,265,759.37

Revenue and expenditures for year ended June 30, 1895.

REVENUE.

Earnings from lease of road, including interest on bonds assumed by lessees	$3,401,200.00	
From sinking funds of company	149,445.00	
Surplus in cash, stamps, etc	34.35	
Land sales for redemption of bonds, Dr	78,795.56	
Total		$3,471,883.79

EXPENDITURES.

Salaries and maintenance of organization	9,509.75	
Interest on first-mortgage bonds, assumed by lessees	2,874,877.74	
Sinking-fund requirements	100,000.00	
Expenses of the land department	37,722.32	
Taxes on lands	11,057.23	
Set over to special income accounts	70,649.44	
Balance general income	368,067.31	
Total		3,471,883.79

Comparative statement of the earnings and expenses of the Southern Pacific Railroad Company.

	Year ended—		Difference.	
	June 30, 1895.	June 30, 1894.	Increase.	Decrease.
EARNINGS.				
Passenger	$2,772,610.46	$3,218,767.67	.....	$446,157.21
Freight	5,982,849.82	6,413,009.70	.....	430,159.88
Mail	189,733.80	150,591.46	$39,142.34	.....
Express	173,517.91	135,032.19	38,485.72	.....
Miscellaneous	132,837.92	138,381.38	.....	5,543.46
Total	9,251,549.91	10,055,782.40	.....	804,232.49
EXPENSES.				
Maintenance of way and structures	1,406,448.83	1,298,008.24	108,440.59	.....
Maintenance of equipment	924,449.47	859,986.65	64,462.82	.....
Conducting transportation	3,117,713.26	2,980,709.17	137,004.09	.....
General expenses and taxes	797,970.26	845,641.08	.....	47,670.82
Total	6,246,581.82	5,984,345.14	262,236.68	.....
Net earnings	3,004,968.09	4,071,437.26	.....	1,066,469.17
Miles operated	1,634.68	1,635.32	.....	0.64
Earnings per mile	$5,659.54	$6,149.12	.....	$489.58
Expenses per mile	3,821.28	3,659.43	$161.85	.....
Net earnings per mile	1,838.26	2,489.69	.....	651.43
Percentage of expenses to earnings	67.52	59.51	8.01	.....

TEXAS AND PACIFIC RAILWAY COMPANY.

This company was organized under the act of Congress approved March 3, 1871, and the general laws of the State of Texas. It acquired the properties of the Southern Pacific, the Southern Transcontinental, and the Memphis, El Paso and Pacific Railroad companies, and in 1892 the Kansas City, El Paso and Mexican Railway, better known as the "White Oaks" road.

The Southern Pacific Railroad Company was a consolidation of the Vicksburg, Shreveport and Texas and the Southern Pacific Railroad companies, organized under the laws of Texas. Consolidation with the New Orleans Pacific Railway Company (formerly the New Orleans, Baton Rouge and Vicksburg) was effected June 21, 1881. The property was placed in the hands of receivers December 16, 1885, sold under foreclosure November 8, 1887, and reorganized without change of name. By the acts of Congress approved June 3, 1856, and March 3, 1871, grants of land were made to roads forming the present system as follows:

	Acres.
Texas and Pacific	18,000,000
New Orleans, Baton Rouge and Vicksburg	3,800,000
Vicksburg, Shreveport and Pacific (chartered as Vicksburg, Shreveport and Texas	610,880
Total	22,410,880

Shreveport, La., and the Texas State line, near Waskom, Tex., are the land-grant termini. Poor's Manual, 1895, contains the following statement in respect of the company's land grant:

> Under the reorganization in 1887 the lands of this company were disposed of to the Texas Pacific Land Trust, organized by the holders of land bonds for the purpose of acquiring the lands. In June, 1888, there were issued $10,370,000 of certificates of proprietary interest in accordance with a declaration of trust, dated February 1, 1888, made by Charles J. Canda, Simeon J. Drake, and William Strauss, filed with the Central Trust Company of New York.

The records of the General Land Office show that to June 30, 1895, there had been patented to the New Orleans Pacific (formerly the New Orleans, Baton Rouge and Vicksburg Railroad) 916,022.84 acres in the State of Louisiana. The records of the General Land Office also show that by the act of February 20, 1885, there had been forfeited 15,692,800 acres of the grant to the Texas and Pacific, and 352,587 acres of the grant to the New Orleans, Baton Rouge and Vicksburg by the act of February 28, 1887, and that by the act of February 28, 1887, there had been restored to the public domain 19,000 acres of railroad indemnity lands granted to the Vicksburg, Shreveport and Pacific.

In the report of the company to the stockholders for the calendar year 1894 the assets of the land department are given as 91,425 acres of land and 13,000 town lots; also bills receivable (land notes) amounting to $88,492.28.

The report for the year ended June 30, 1895, has been submitted to this office by the president of the company, as required by section 13 of the act approved March 3, 1871 (16 Stat. L., 573).

The road is operated in three divisions, as follows:

	Miles.	
Eastern Division:		
Texarkana to Fort Worth, via Marshall	253	
Transcontinental Junction to Fort Worth, via Whitesboro	239	
Marshall to State line, Texas	19	
		511
Rio Grande Division:		
Fort Worth to Sierra Blanca	522	
Joint track, Sierra Blanca to El Paso	93	
Thurber Junction to coal mines	6	
		621
Louisiana Division:		
New Orleans to Shreveport	327	
Shreveport Junction to State line, Louisiana	21	
Baton Rouge Junction to Port Allen	11	
Westwego Branch	1	
Plaquemines Branch	7	
		367
Total		1,499

Of this mileage, 1,312.5 miles are laid with steel rails of from 56 to 63 pounds. The company has adopted as its standard a rail of 75 pounds to the yard, and renewals hereafter will be in rails of that weight. During 1894 there were purchased 5,000 tons of steel rails, of which 3,000 tons were placed in the track. Of this purchase, 3,000 tons were of 63 pounds and 2,000 tons of 75 pounds weight. There will be required 18,000 tons in addition to lay the entire road in steel.

On June 30, 1895, the equipment consisted of 193 locomotives, 30 first-class, 36 second-class, 11 combination, 7 excursion, 39 baggage, express, and postal, 1 pay, and 2 special cars, a total of 126 cars in the passenger service. In the freight service there were 2,241 box, 906 flat, 273 stock, 474 coal, 1 tank, 35 fruit, and 2 refrigerator cars, a total of 3,932 cars. There were also 7 derrick, 97 caboose, 18 cinder, and 81 other road cars, the aggregate number of cars owned being 4,261.

The following statements show the financial condition of the company on June 30, 1895:

ASSETS.

Cost of road and equipment	$80,531,180.07
Bonds and scrip	1,803,206.00
Gordon coal mines	137,458.76
Grain elevator, Westwego, La	95,159.07
First-mortgage bonds reserved to retire first-mortgage Eastern Division bonds at maturity and Texas school-fund loan	3,951,000.00
Capital stock of other companies	6,737,091.35
Funds in trust	318,828.40
Proportion of working capital of Red River line	4,500.00
Bills receivable (land notes)	84,762.81

Due from agents and foreign roads	$520,158.48	
Advances to agents	5,543.49	
Unclaimed wages	6,610.51	
Material on hand	225,790.63	
Unadjusted accounts	59,780.46	
Cash	235,918.31	
Total		$94,716,988.

LIABILITIES.

First-mortgage bonds	24,990,824.73	
Second-mortgage income bonds	24,935,117.71	
First-mortgage Eastern Division bonds	3,784,000.00	
Old bonds unredeemed	73,000.00	
Texas school-fund loan	134,387.06	
Interest scrip, income, and land-grant bonds retirable under provisions of reorganization	298,142.00	
Other scrip	11,375.57	
Equipment obligations	268,828.40	
Vouchers and pay rolls unpaid	494,249.27	
Due other railways	96,343.40	
Interest due and accrued	225,209.17	
Estimated taxes	80,537.37	
Unadjusted accounts	14,247.26	
Donated lands and town-lot sales account	72,868.49	
Income account	526,957.91	
Total	56,006,088.34	
Capital stock	38,710,900.00	
Total stock and debt		94,716,988.

Revenue and expenditures for year ended June 30, 1895.

REVENUE.

Earnings	$7,514,795.68	
Rentals	53,001.60	
Receipts of the land department	16,223.80	
Unclaimed wages charged off	3,943.00	
Accounts payable	209,125.03	
Total		$7,797,089.

EXPENDITURES.

Operating expenses	5,300,616.50	
Taxes	203,109.93	
Interest and discount	21,855.59	
Accrued interest	1,279,490.00	
Rentals	74,138.40	
Sundry amounts	63,835.64	
Total		6,943,046.
Surplus		854,043.

Comparative statement of the earnings and expenses of the Texas and Pacific Railway Company.

	Year ended—		Difference.	
	June 30, 1895.	June 30, 1894.	Increase.	Decrease.
EARNINGS.				
Passenger	$1,655,528.12	$1,749,229.07	.....	$93,700.95
Freight	5,412,525.38	4,759,316.64	$653,208.74	.....
Mail	240,298.00	210,839.60	29,458.40	.....
Express	152,426.79	181,269.31	.....	28,842.52
Miscellaneous	54,017.39	78,023.35	.....	23,536.96
Total	7,514,795.68	6,978,677.97	536,117.71	.....
EXPENSES.				
Conducting transportation	1,819,437.99	1,866,417.04	.....	46,979.05
Maintenance of way	1,295,467.66	1,112,890.97	182,576.69	.....
Motive power	1,547,331.15	1,588,439.26	.....	41,108.11
Maintenance of cars	441,296.66	426,751.15	14,545.51	.....
General expenses and taxes	400,192.97	399,193.66	139.38	.....
Total	5,503,726.43	5,393,692.08	110,034.35	.....
Net earnings	2,011,069.25	1,584,985.89	426,083.36	.....
Miles operated	1,499	1,499	.....	.....
Earnings per mile	$5,013.20	$4,655.55	357.65	.....
Expenses per mile	3,671.59	3,598.19	73.40	.....
Net earnings per mile	1,341.61	1,057.36	284.25	.....
Percentage of expenses to earnings	73.23	77.28	.....	4.05

UNION PACIFIC RAILWAY COMPANY.

This company was formed January 24, 1880, by the consolidation of the Union Pacific, the Kansas Pacific, and the Denver Pacific Railroad companies.

The Union Pacific Railroad Company was chartered by Congress July 1, 1862. The subsidy in Government bonds was at the rate of $16,000, $32,000, and $48,000 per mile, according to the difficulty in the work of construction. By the act of incorporation the subsidy bonds were to be a first mortgage on the road. Under a subsequent act of July 2, 1864, the company was allowed to issue an equal amount of its own bonds, which were to be a first lien upon the road, the subsidy bonds being thereafter a second mortgage. For the repayment of the subsidy bonds the company was required to pay annually to the Government 5 per cent of its net earnings and one-half of the charges of transportation on its account. The amount realized therefrom being insufficient to defray the annual interest charge on the subsidy bonds, the act of May 7, 1878, otherwise known as the Thurman Act, was passed. At this date the excess of interest paid by the United States, over and above all reimbursements, had amounted to $11,771,728.83 for the Union Pacific and $2,930,963.60 for the Kansas Pacific. The Thurman Act provided that the whole amount of compensation for services rendered the Government by the company should be retained by the United States, one-half to be applied to the liquidation of the

interest paid and to be paid by the United States on account of the subsidy bonds and the other half to be carried to the credit of a sinking fund. Under the provisions of the same act the 5 per cent of net earnings, directed to be withheld by the acts of 1862 and 1864, were increased to 25 per cent. The road was opened May 10, 1869, seven years and twenty days in advance of the time fixed.

The Kansas Pacific Railway Company was first chartered by the legislature of the Territory of Kansas as the Leavenworth, Pawnee and Western. It was included in the Pacific railroad acts of 1862 and 1864, and granted a subsidy in Government bonds of $16,000 per mile, the condition of the subsidy being the same as the grant to the Union Pacific. On June 6, 1863, the name of the company was changed to the Union Pacific Eastern Division, and by an act of Congress approved May 31, 1868, to the Kansas Pacific. The road was completed from Kansas City to Denver (638 miles) September 1, 1870. In 1873 default was made in the payment of interest on the company's bonds and the road placed in the hands of a receiver, who was discharged in 1879, and the affairs of the company reorganized.

The Denver Pacific, connecting the Kansas Pacific with the Union Pacific, was built by the Kansas Pacific, and opened January 1, 1871. By decree of court, dated October 13, 1893, the company was placed in the hands of receivers.

The mileage of the system on June 30, 1895, was as follows:

		Miles.
Main line:		
Council Bluffs, Iowa, to a point 5 miles west of Ogden, Utah		1,038.46
Kansas City, Mo., to Denver, Colo		639.52
Jersey to Cheyenne, Wyo		104.10
Branch lines:		
Leavenworth to Lawrence Junction, Kans	31.93	
Council Bluffs, Iowa (Broadway), to junction with main line	1.72	
Omaha, Nebr. (Bridge Junction), to old initial point	3.95	
Almy Junction, Wyo., to Mine No. 7	3.88	
Armstrong to Wyandotte, Kans	2.08	
Detroit to Enterprise, Kans	1.95	
Cheyenne to Fort Russell	2.04	
		47.55
Total		1,829.63

The company also controls 3,074.11 miles of auxiliary lines, making a total of 4,903.74 miles of owned and operated roads which report to the organization located at Omaha.

Those portions of the road which were constructed by the aid of a subsidy in bonds, and are therefore subject to the requirements of law with respect to the annual payment to the United States of a percentage of net earnings, are as follows: Union Pacific, Bridge Junction, Omaha, Nebr., to Ogden, Utah, 1,029.4840 miles; Ogden Station, Utah, to junction with the Central Pacific Railroad (leased and operated by the Central Pacific Railroad Company), 5 miles; total 1,034.4840 miles.

The aided portion of the Kansas Pacific begins at Kansas City, Mo., and ends at a point near Boaz, Kans., a distance of 393.9425 miles.

The subsidy bonds issued by the United States in aid of construction amount to $33,539,512, the Union Pacific having received $27,236,512 and the Kansas Pacific $6,303,000. The interest paid thereon by the United States to June 30, 1895, amounted to $55,235,632.14, and the repayments by the company in transportation services, cash, and interest on sinking fund investments to $36,775,483.07, as shown by the books of the Treasury Department, making the company's liability to the United States on that date $51,999,661.07. The excess of interest paid by the United States over all credits amounted to $18,460,149.07, an increase in the amount of liability, as compared with the previous year, of $120,743.08.

The amount found due the United States under the acts of 1862, 1864, and 1878 for the year ended December 31, 1894, was $1,269,648.92, an increase in the annual requirement, as compared with the previous year, of $22,884.70. The interest payable by the United States on the bonds issued to this company amounts to $2,012,370.72 annually.

By the Pacific railroad acts of 1862 and 1864 the following grants of land were made by Congress to aid in construction:

	Acres.
Union Pacific	12,000,000
Kansas Pacific	6,000,000
Denver Pacific Railway and Telegraph	1,000,400
Total	19,000,400

The following points are the land-grant termini: Union Pacific, Bridge Junction, Omaha, Nebr., and Union Depot, Ogden, Utah; Kansas Pacific, Kansas City, Mo., and a point on the railroad between Monument and Gopher stations and Eighteenth street, Denver, Colo.; Denver Pacific, Denver, Colo., and Cheyenne, Wyo.

The records of the General Land Office show that to June 30, 1895, there had been patented to the—

	Acres.	
Union Pacific:		
In the State of Colorado	640.00	
In the State of Nebraska	3,786,348.03	
In the State of Wyoming	353,729.57	
In the Territory of Utah	40,196.49	
		4,180,914.09
Kansas Pacific:		
In the State of Kansas	2,461,420.22	
In the State of Colorado	64,866.57	
		2,526,286.79
Denver Pacific, in the State of Colorado		209,349.23
Total		6,916,550.11

The company makes the following report of the operations of its land department:

	Union Pacific.	Kansas Pacific.	Denver Pacific.	Total.
Acquired by United States patent, acres	4,180,751.65	2,623,378.01	209,349.23	7,013,478.89
Disposed of for cash and on time contracts ... acres	.....	.....	.....	a 9,392,934.25
Total cash receipts from all sales to date	$22,632,728.09	$13,285,885.71	$2,155,283.38	$38,073,897.18
Amounts outstanding on account of time sales	2,714,321.48	2,886,136.52	475,905.43	6,076,363.43
Receipts during the year	255,742.71	143,104.89	40,781.66	439,629.26
Expenses during the year	112,923.30	169,844.38	22,286.06	305,053.74
Surplus	142,819.41	.....	18,495.60	134,575.52
Deficit	.....	26,739.49	.....	.....
Average price per acre for all sales to date	2.50	4.22	4.22	.....
Average price per acre now asked	1.00	3.00	3.00	.....

a Includes lands sold but not yet patented.

The express business on the company's line of road is transacted by the Pacific Express Company under contract dated January 19, 1886, the railroad company receiving a percentage of the gross earnings. Pullman parlor, sleeping, and dining cars, in which the railway company owns a three-fourths interest, are run under contracts dated February 1 and August 1, 1889. The telegraph business is transacted by the Western Union Company under contract dated July 1, 1881. Sundry contracts and agreements relating to transportation and leases have been entered into with other companies, as follows:

St. Joseph and Grand Island Railroad Company and Kansas City and Omaha Railroad Company, contract dated January 1, 1887.

St. Joseph and Grand Island Railroad Company, dated July 1, 1885.

Oregon Short Line and Utah Northern Railway Company, December 6, 1889.

Chicago and Northwestern Railway Company, October 18, 1889.

Chicago, Rock Island and Pacific Railway Company and Chicago, Kansas and Nebraska Railway Company, April 10, 1889.

Union Pacific, Lincoln and Colorado Railway Company, August 1, 1888.

Kansas City, Wyandotte and Northwestern Railroad Company, July 13, 1889.

Southern Pacific Company, April 12, 1890.

Omaha and Republican Valley Railway Company, Salina and Southwestern Railway Company, Chicago, Rock Island and Pacific Railway Company, and Chicago, Kansas and Nebraska Railway Company, May 1, 1890 (in litigation).

Chicago, Milwaukee and St. Paul Railway Company, April 30, 1890 (in litigation).

Chicago and Alton Railroad Company, Chicago and Northwestern Railway Company, Atchison, Topeka and Sante Fe Railroad Company, Oceanic Steamship Company, and Union Steamship Company, August 29, 1893.

Receiver Union Pacific, Denver and Gulf Railway Company, May 1, 1894.

Receiver Union Pacific, Denver and Gulf Railway Company, May 18, 1894.

Receiver Union Pacific, Denver and Gulf Railway Company, November 10, 1894.

Receiver Union Pacific, Denver and Gulf Railway Company, June 12, 1895.

Receiver Oregon Railway and Navigation Company, effective July 4, 1894.

Receiver Oregon Railway and Navigation Company, effective July 4, 1894.

Receiver Oregon Railway and Navigation Company, dated January 10, 1895.

The properties of the company from Omaha, Nebr., to Ogden, Utah, including roadbed, track, bridges, buildings, shops, etc., were inspected by the Commissioner in July of the current year, and they were found to be in excellent physical condition.

At the end of the year the equipment consisted of 96 passenger, 349 freight, and 89 switching locomotives; total, 534, of which 521 were equipped with Westinghouse brakes. In the passenger service there were 13 dining, 70 sleeping, 24 chair, 128 first-class, 29 second-class, 37 emigrant, 42 mail, 44 baggage, 10 express, 3 combination, and 14 officers' cars; total, 414, of which 412 were equipped with Westinghouse brakes and Miller platforms. In the freight service there were 6,040 box, 1,101 stock, 1,683 coal, 405 flat, 60 combination, 427 refrigerator, 780 fruit, and 204 caboose cars; total, 10,700, of which 9,082 were equipped with Westinghouse brakes and 105 with Miller platforms. In the road and miscellaneous service there were 13 derricks, 24 snowplows, 43 boarding, 194 dump, gravel, and construction cars, and 7 flangers. Of these, 8 derricks, 107 dump, etc., and 21 boarding cars were equipped with Westinghouse brakes. One hundred and fifty-eight locomotives, 88 passenger, 3,491 freight, and 70 road-repair cars (included in the foregoing) are held in trust by the American Loan and Trust Company, trustee, of Boston.

There were 20,731 tons of steel rails laid during the year, at a cost of $547,548.92, and 829 tons of iron rails, at a cost of $8,576.74. During the same period there were placed in the track 591,459 oak, cedar, pine, and fir cross-ties, at a cost of $255,978.24.

The amount expended for additions and betterments to railway was $188,679.32, all of which was charged to operating expenses. The amount expended for rolling stock during the year was $51,442.84, which was also charged to operating expenses. The assessed valuation of roadway, bridges, track, buildings, and equipment, for purposes of taxation, was $19,150,057.

The following statements show the financial condition of the company on June 30, 1895, together with the amounts found due the United States under the acts of 1862, 1864, and 1878. Other financial and statistical information relating to the sinking fund, bonds issued, and lands granted to this company will be found in the appendixes.

Comparative statement of the funded debt of the Union Pacific Railway Company June 30, 1895 and 1894.

Charter of bonds.	Terms of bonds.		Rate of interest.	Amount of bonds outstanding—		Difference.		Lien.
	Years.	Date of maturity.		June 30, 1895.	June 30, 1894.	Increase.	Decrease.	
Union Pacific Railroad.			*Per cent.*					
Union Pacific, first mortgage	30	1896-1899	6	$27,229,000	$27,229,000			Road and franchise, Omaha to Ogden.
United States subsidy, second mortgage				27,236,512	27,236,512			Do.
Sinking-fund mortgage, coupon	26	1899	8	3,467,000	3,489,000		$22,000	Road and franchise, Omaha to Ogden, third mortgage; granted lands, second mortgage.
Sinking-fund mortgage, registered	26	1899	8	272,000	271,000	$1,000		
Collateral trust	25	1904	6	3,626,000	3,672,000		46,000	Bonds of branch lines held by trustees
Omaha bridge	25	1896	8	194,000	386,000		192,000	Omaha bridge, first mortgage.
Land-grant mortgage	20	1887-1889	7	7,000	7,000			Granted lands.
Kansas Pacific Railway.								
Eastern division, first mortgage	30	1895	6	2,240,000	2,240,000			Road and income, Kansas City to a point 140 miles west.
Middle division, first mortgage	30	1896	6	4,063,000	4,063,000			Road and income, 140th milepost to 394th milepost.
United States subsidy, second mortgage				6,303,000	6,303,000			Road and franchise, Kansas City to 394th milepost.
Denver extension, first mortgage	30	1899	6	5,887,000	5,887,000			Road and lands, 394th milepost to Denver.
Leavenworth branch, first mortgage	30	1896	7	15,000	15,000			Leavenworth Branch.
Income	50	1916	7	11,400	11,400			Income.
Income, subordinated	50	1916	7	23,100	23,100			Do.
Consolidated mortgage	40	1919	6	11,724,000	11,724,000			Blanket mortgage, 779 miles of road and 294 miles of land grant.
Denver extension coupon certificates	42	1916	6	385	385			Income.
Denver Pacific Railway.								
Cheyenne Branch, first mortgage	30	1899	7	4,000	4,000			Cheyenne Branch, road and lands.
Union Pacific Railway.								
Trust, 5 per cent coupon	24	1907	5	4,660,000	4,660,000			Bonds of branch lines held by trustees.
Trust, 5 per cent registered	24	1907	5	17,000	17,000			Do.
Omaha bridge renewal second mortgage	30	1915	5	1,056,000	1,056,000			Omaha bridge.
Equipment trust, series A	1 to 10	1888-1897	5	287,000	287,000			Equipment held by American Loan and Trust Company, of Boston, as trustee.
Equipment trust, series B	1 to 10	1889-1898	5	1,052,000	1,052,000			
Equipment trust, series C	1 to 10	1891-1900	5	671,000	671,000			
Collateral trust, 4½ per cent	29	1918	4½	2,030,000	2,030,000			Bonds of branch lines held by trustees.
Kansas Division and collateral mortgage coupon.	30	1921	5	5,000,000	5,000,000			Bonds and lands, and bonds and stocks held by trustees.
Collateral trust notes	3	1894	6	9,247,000	11,041,000		1,794,000	Bonds and stocks held by trustees.
Total funded debt				110,000,000	110,228,000		2,054,000	

Revenue and expenditures for year ended June 30, 1895.

REVENUE.

Earnings	$14,598,537.20	
Profits on bonds of other companies	220,380.65	
Dividends on stocks of other companies	18,000.00	
Interest on bonds of this and other companies	68,106.23	
Profits on miscellaneous investments	122,268.10	
Receipts of the land department and trust income	819,822.55	
Interest on United States sinking fund	493,494.35	
Discount on collateral trust notes redeemed	159,013.75	
Total		$16,499.622.83

EXPENDITURES.

Operating expenses and taxes	9,939,906.84	
Interest on funded debt	4,719,141.01	
Interest on other debt	5,475.12	
Losses on bonds of this and other companies	1,111,964.39	
Sinking-fund requirements—company	692,770.00	
Expenses of the land department and taxes	312,866.62	
United States sinking fund requirement	1,404,061.46	
Profit and loss	220,492.21	
Total		18,406,677.65
Deficit		1,907,054.82

Comparative statement of the financial condition of the Union Pacific Railway Company, June 30, 1895 and 1894.

	Year ended—		Difference.	
	June 30, 1895.	June 30, 1894.	Increase.	Decrease.
ASSETS.				
Cost of road, fixtures, and equipment	$155,461,673.97	$155,532,766.00	.....	$71,092.03
Receivers, Union Pacific Rwy. Co., current income account	1,753,708.49	79,393.12	$1,674,315.37	.....
Receivers, Kansas Pacific consolidated mortgage property	561,017.46	.....	561,017.46	.....
Receivers' property account, Union Pacific Rwy. Co	1,799,773.32	1,787,580.73	12.192.59	.....
Receivers, Omaha Bridge Division, current income account	16,166.21	.....	16,166.21	.....
Receivers, Union Pacific system	1,964,556.16	1,301,754.96	662,801.20	.....
Receivers, United States earnings suspense account	622,309.91	837,570.67	.....	215,260.76
Land contracts, land cash, etc	6,582,871.21	7,022,611.29	.....	439,740.08
Company's stocks and bonds owned by company (in trust)	6,058,773.91	6,338,382.92	.....	279,609.01
Other stocks and bonds	47,100,947.08	48,922,368.14	.....	1,821,421.06
Miscellaneous investments	280,741.22	280,568.64	172.58	.....
Advances payable in stocks and bonds	2,293,595.19	2,294,602.26	.....	1,007.07
Sinking funds in hands of trustees, company	4,178,638.43	3,796,153.18	382,485.25	.....
Bills receivable	1,337,789.38	1,359,593.78	.....	21,804.40
Accounts receivable	7,372,970.88	9,475,275.86	.....	2,102,304.98
Branch-line securities held as collateral	2,873,645.98	5,251,345.98	.....	2,377,700.00
Due from other companies on account of traffic	60,598.16	129,901.31	.....	69,303.15
Due from United States for transportation services and cash payments	35,770,085.84	34,615,256.90	1,154,828.94	.....
Total	276,089,862.80	279,025,125.74	.....	2,935,262.94

Comparative statement of the financial condition of the Union Pacific Railway Company, June 30, 1895 and 1894—Continued.

	Year ended—		Difference.	
	June 30, 1895.	June 30, 1894.	Increase.	Decrease.
LIABILITIES.				
First-mortgage bonds	$41,649,000.00	$41,841,000.00		$192,000.00
Interest on same, due and accrued	2,071,793.25	475,723.25	$1,596,070.00	
Interest on same, accrued, not due	971,197.49	979,499.96		8,302.47
United States subsidy bonds	33,539,512.00	33,539,512.00		
Interest on same paid by United States	55,235,632.14	53,223,261.42	2,012,370.72	
Other funded debt	41,133,885.00	42,994,885.00		1,861,000.00
Interest on same, due and unpaid	1,474,155.68	627,258.18	846,897.50	
Interest on same, accrued, not due	630,359.14	655,379.13		25,019.99
Dividends unpaid	18,709.27	18,709.27		
Accounts payable	403,729.32	342,100.44	61,628.88	
Pay rolls and vouchers	15,489.91	417,933.51		402,443.60
Called bonds	371,000.00	179,000.00	192,000.00	
Branch-line securities held as collateral	2,888,645.98	5,266,345.98		2,377,700.00
Total	180,403,109.18	180,560,608.14		157,498.96
Capital stock	60,868,500.00	60,868,500.00		
Total stock and debt	241,271,609.18	241,429,108.14		157,498.96
Surplus	34,818,253.62	37,596,017.60		2,777,763.98

The company claims a credit in its general balance sheet of $35,770,085.84 for transportation services rendered and cash payments to the United States, but the following statement, compiled from reports furnished this office by the Treasury Department, of settled accounts, cash payments, and interest on sinking-fund investments to June 30, 1895, shows a difference on that date, in favor of the company, of $1,005,397.23, thus:

Amount of credits claimed by the company			$35,770,085.84
Applied to credit of bond and interest account:			
Transportation	$19,257,521.83		
Cash	438,409.58		
		$19,695,931.41	
Applied to credit of sinking-fund account:			
Transportation	10,958,843.73		
Interest	4,698,993.47		
Cash	1,421,714.46		
		17,079,551.66	
			36,775,483.07
Difference in favor of company			1,005,397.23

Statement of amounts due the United States by the Union Pacific Railway Company under the act of May 7, 1878, for the year ended December 31, 189

UNION DIVISION.

EARNINGS.

United States:		
Passenger	$67,648.00	
Freight	82,919.54	
Mail	924,344.27	
		$1,074,911.81

Commercial:		
Passenger	$1,626,276.33	
Sleeping cars *a*	84,530.17	
Freight	7,651,825.23	
Company freight	346,365.98	
Express	155,202.77	
Telegraph	39,852.85	
Miscellaneous	277,306.11	
		$10,181,359.44
Total earnings		11,256,271.25

EXPENSES.

Maintenance of way and structures	1,416,724.16	
Maintenance of equipment	1,881,603.25	
Conducting transportation	3,626,616.03	
General expenses	542,061.43	
Taxes	181,879.90	
Total operating expenses	7,648,884.77	
Interest on first-mortgage bonds	1,633,740.00	
Total expenses under act of May 7, 1878		9,282,624.77
Net earnings		1,973,646.48
Twenty-five per cent of net earnings		493,411.62

DUE THE UNITED STATES.

One-half Government transportation, as above	537,455.90	
Five per cent of net earnings under act of 1862	98,682.32	
Credit of bond and interest account		636,138.22
One-half Government transportation, as above, credit of sinking-fund account		537,455.91
Total for the year		1,173,594.13

KANSAS DIVISION—AIDED LINE.

EARNINGS.

United States:		
Passenger	$6,950.77	
Freight	9,436.51	
Mail	114,793.34	
		$131,180.62
Commercial:		
Passenger	449,241.04	
Sleeping cars *b*	19,155.87	
Freight	1,323,192.38	
Company freight	28,343.24	
Express	37,989.11	
Telegraph	4,890.83	
Miscellaneous	99,879.65	
		1,962,692.12
Total earnings		2,093,872.74

a Apportioned on basis of sleeping-car mileage, being 54.1641+ per cent of $156,063.11, income from sleeping cars.

b Apportioned on the basis of sleeping-car mileage, being 12.27444 per cent of $156,063.11, income from sleeping cars.

EXPENSES.

Maintenance of way and structures	$291,849.20	
Maintenance of equipment	268,012.27	
Conducting transportation	686,476.97	
General expenses	121,829.82	
Taxes	116,414.84	
Total operating expenses under act of 1864		$1,484,583.10
Net earnings		609,289.64
Five per cent of net earnings		30,464.48

DUE THE UNITED STATES.

One-half of Government transportation, as above	65,590.31	
Five per cent of net earnings under act of 1864	30,464.48	
Total for the year		96,054.79

DUE BY THE UNION PACIFIC RAILWAY COMPANY.

Union Division	$1,173,594.13	
Kansas Division	96,054.79	
Total		1,269,648.92

Comparative statement of the earnings and expenses of the Union Pacific Railway Company.

	Year ended—		Difference.	
	June 30, 1895.	June 30, 1894.	Increase.	Decrease.
EARNINGS.				
Passenger	$2,346,428.74	$2,879,107.44	.....	$532,678.70
Freight	10,170,334.48	10,515,156.90	.....	344,822.42
Mail	1,173,930.33	1,066,336.54	$107,593.79	.....
Express	225,615.05	243,415.97	.....	17,800.92
Miscellaneous	682,228.60	559,895.76	122,332.84	.....
Total	14,598,537.20	15,263,912.61	.....	665,375.41
EXPENSES.				
Maintenance of way	1,727,171.48	1,652,765.58	74,405.90	.....
Motive power	2,059,250.66	2,284,561.90	.....	225,311.24
Maintenance of cars	5,082,705.89	4,829,600.21	253,105.68	.....
General expenses and taxes	1,070,778.81	1,409,520.37	.....	338,741.56
Total	9,939,906.84	10,176,448.06	.....	236,541.22
Net earnings	4,658,630.36	5,087,464.55	.....	428,834.19
Miles operated	1,822.59	1,822.59	.....	.....
Earnings per mile	$8,009.77	$8,374.84	.....	$365.07
Expenses per mile	5,453.72	5,583.50	.....	129.78
Net earnings per mile	2,556.05	2,791.34	.....	235.29
Percentage of expenses to earnings	68.09	66.66	1.43	.....

WISCONSIN CENTRAL RAILROAD COMPANY.

This company has failed to submit, on the form prescribed by the Bureau, a report of its operations during the past year.

The original Wisconsin Central Railroad Company was a reorganization, February 4, 1871, of the Portage, Winnebago and Lake Superior

Railroad Company, described as aforesaid, and built under the corporate name and title last mentioned, the land-grant termini being fixed at Portage City, Wis., via Stevens Point and Ashland, Wis.

The main line, from Menasha to Stevens Point, was opened in the same year (1871) and extended to Ashland in 1877.

By an act of Congress approved May 5, 1864, there were granted to the State of Wisconsin, to aid in the construction of a railroad "from Portage City, Berlin, Dotys Island, or Fond du Lac, as said State may determine, in a northwestern direction, to Bayfield, and thence to Superior, on Lake Superior, every alternate section of public land, designated by odd numbers, for ten sections in width on each side of said road," estimated by the General Land Office to include a grant of 1,800,000 acres of land.

The records of the General Land Office show that to June 30, 1894, there had been patented to the company 770,727.08 acres of land, and that 200,000 acres of railroad indemnity lands located in Wisconsin had been restored to the public domain.

Poor's Manual, 1895, page 863, reports as follows upon the company's land department:

This company has a land grant under which it has received from the United States and the State of Wisconsin and from other sources 839,348.46 acres. There have been sold to June 30, 1894, 281,975.98 acres for $834,350.65, leaving 557,372.48 acres on hand. Town-lot sales at the same period amounted to 2,845 lots and 44 blocks for $135,241.75, and stumpage sales amounted to 651,423 M feet, $1,057,368.38; the total of all sales to date being $2,026,960.79. Face value of outstanding land contracts on June 30, 1894, exclusive of interest due and accrued, $155,342.27; face value of outstanding pine contracts on same date, also exclusive of interest due and accrued, $8,890.75.

The Wisconsin Central lease of April 1, 1890, to the Northern Pacific Railroad Company was terminated by decree of court for nonpayment of rent on September 27, 1893, and finally canceled. On the same day the trustees of the bonds caused receivers to be appointed for the protection of all parties after failure of the Northern Pacific Company. The Wisconsin Central Company, on November 1, 1893, paid, with interest, all overdue coupons which had been temporarily delayed by the lessee's failure.

On July 1, 1894, interest on Wisconsin Central Company's first mortgage bonds was defaulted and has not since been paid. Interest due on September 1, 1894, C. W. and M. Railroad income bonds was paid in bonds. A committee of eight was appointed on January 23, 1895, to protect the interests of the bondholders and to prepare a plan of reorganization.

In November, 1894, the receivers were authorized by the court to issue $2,000,000 6 per cent certificates, due in two years, the proceeds to be applied to the payment of the floating debt and to improvements; the collateral released through the discharging of the debt to be deposited as security for the certificates. Under this authority certificates to the amount of $1,650,000 were sold in December, 1894. The floating debt has all been paid off and the property considerably improved.

The following information relating to the affairs of this company is also compiled from Poor's Manual of Railroads, 1895, page 860 et seq.:

	Miles.
Length of lines owned	417.04
Length of lines leased	75.66
Total mileage, June 30, 1894	492.70

The statement of assets and liabilities of the funded and unfunded debt and of the sinking fund account is shown in a consolidated general balance sheet of the Wisconsin Central Company and Wisconsin Central Railroad Company, which is explained as follows:

The Wisconsin Central Company and the Wisconsin Central Railroad Company are a financial unit, since the former owns most of the first bonds and substantially all the notes, stocks, and income bonds of the latter. Legal reasons and protection to land titles require separate corporate existence to be maintained, but the consolidated account of these two companies alone shows the real value of the Wisconsin Central securities now in the market. Referring to this ownership the Wisconsin Central Company's report for 1892, says:

"The ownership by your company of the stocks and junior securities of the Wisconsin Central Railroad Company still remains subject to the lien of the consolidated mortgage of the last-named company, dated January 1, 1879, to the extent of $1,522,000 first series 5 per cent bonds, and $13,000 second series 7 per cent (income) bonds. These outstanding bonds can not probably be acquired before maturity, in 1909, when the sinking fund will, beyond any question, pay them off without recourse to your treasury. Meantime all net profits of the Wisconsin Central Railroad Company come ultimately into your treasury, subject only to the creditor rights of the holders of the improvement bonds of 1891, which, as the joint and several obligations of both corporations, have precedence over your income bonds and stock.

"The only Wisconsin Central securities known to the market are those of your company. The only accounts which are needed to disclose their value are the consolidated statements herewith submitted, which show the financial condition of the two companies as if they were actually and legally merged into a single corporation. The detailed exhibit of the relations existing between these two companies, published in the last report, renders it needless any longer to publish separate accounts for each company. So far as the rights of creditors of either company are concerned each corporation preserves its separate obligation; but the financial strength of each corporation makes the existence of those theoretical liabilities of no practical importance to you. So far as the rights of income bondholders and stockholders are concerned the two corporations are a financial unit, and these consolidated statements furnish complete information as to the assets and liabilities of the property which your stocks and income bonds cover."

The Wisconsin Central Railroad bonds (original issue, $3,800,000, of which $1,522,000 are now outstanding) are secured by a consolidated first mortgage on the Wisconsin Central Railroad. They are dated January 1, 1879, due January 1, 1909, interest January and July, at 5 per cent, and are styled "first series." The proceeds of land sales are applicable to the purchase of these bonds when they can be bought at a price not exceeding par and accrued interest; but there are to be no drawings.

CONCLUSION.

The jurisdiction of this Bureau extends over forty-nine original companies, which, by consolidation and lease, are now included in and operated by fifteen companies or "systems," with an aggregate of upward of 69,000 miles of railway.

The duties devolving upon the Bureau are technical in character, and require practical experience in the intricate methods of railway accounting. They include a supervision, by personal inspection and examination, of the valuable properties of the railway companies, and a settlement of accounts involving millions of dollars annually. They require a familiarity with what are known as the Pacific railway acts and the decisions of the courts interpreting them. The duties to be performed, therefore, are in the highest degree important, and the services rendered are of corresponding value to the Government.

It affords me great pleasure to commend the general efficiency of the employees of the Bureau.

I have the honor to be, sir, very respectfully, your obedient servant,

WADE HAMPTON,
Commissioner.

Hon. HOKE SMITH,
Secretary of the Interior.

APPENDIXES AND TABLES.

Appendix A.—Principal laws of Congress, with index, relating to both the bond-aided and land-grant railroads.

Appendix B.—Abstracts of the decisions of the Supreme Court in cases affecting the bond-aided Pacific railroad companies and to which the United States are parties.

Appendix C.—Names and addresses of the Government directors of the Union Pacific Railway Company appointed by the President.

Table No. 1.—Amount of bonds issued in aid of the Pacific railroads, the interest paid thereon by the United States, and the amounts repaid by the several companies to June 30, 1895.

Table No. 2.—Condition of sinking funds on June 30, 1895.

Table No. 3.—Statement of account between the Union Pacific Railway Company* and the United States, under the provisions of the Thurman Act and the act of 1864, from July 1, 1878, to December 31, 1894.

Table No. 4.—Statement of account between the Central Pacific Railroad Company and the United States, under the provisions of the Thurman Act and the act of 1864, from July 1, 1878, to December 31, 1894.

Table No. 5.—Statement of account between the Central Branch Union Pacific Railroad Company and the United States, under the acts of 1862 and 1864, to December 31, 1894.

Table No. 6.—Statement of account between the Sioux City and Pacific Railroad Company and the United States, under the acts of 1862 and 1864, to December 31, 1894.

Table No. 7.—Grants of land by Congress to railroad companies coming under the provisions of the act of June 19, 1878, the number of acres patented to and forfeited by the companies, and the number of acres restored to the public domain.

Table No. 8.—Amount of bonds issued by authority of Congress to the several Pacific railroad companies, and to whom delivered, with the date of issue, maturity, beginning of interest, and the number of miles aided.

*Including the Kansas Pacific, previously known as the Union Pacific, Eastern Division, but more recently as the Union Pacific, Kansas Division.

APPENDIX A 1.

INDEX TO LAWS.

ATLANTIC AND PACIFIC RAILROAD COMPANY.

Act of July 27, 1866.

Act, to be null and void unless $1,000,000 are subscribed within two years. Section 19.
Act, Congress may add to, alter, amend, or repeal. Section 20.
Agents, directors empowered to appoint. Section 15.
Agricultural lands, excluded in lieu of "mineral." Section 3.
Annual report, to be verified by affidavits of president and six directors. Section 13.
Assessments, directors to require payment of 10 per cent cash and the balance as they shall deem to be necessary. Section 16.
Assignment of interest by previously aided roads. Section 3.

Act of June 25, 1868.

Annual reports, shall be made to Secretary of Interior on or before October 1 of each year. Section 2. (Repealed by Thurman act.)

Act of July 27, 1866.

Branch line, authorized to be constructed from Canadian River to a point near Van Buren, Ark. Section 1.

Act of April 20, 1871.

Bonds, authority for issue of. Section 1.

Act of July 27, 1866.

Capital stock, 1,000,000 shares at $100 each, subscriptions to, first meeting of subscribers. Section 1.
Capital stock, who may subscribe. Section 10.
Capital stock, forfeited, redemption of. Section 16.
Capital stock, unless $1,000,000 are subscribed within two years, act to be null and void. Section 19.
Claims (damages for land taken), barred if not made within six years. Section 7.
Commissioners, board appointed, organization, first meeting, other meetings, to open books for subscriptions to stock; to deliver to directors all moneys, properties, books, etc. Section 1.
Commissioners, to examine road, President United States shall appoint three, to report under oath. Section 4.
Congress, powers of. Sections 9, 11, 20.
Connections with other roads. Sections 5, 18.
Completion of road by July 4, 1878. Section 8.
Completion of road, Congress may insure. Section 9.
Compensation of directors, engineers, commissioners, etc., to be paid by railroad companies, penalty in case of neglect. Section 21.

Act of March 3, 1871.

Construction of road by Southern Pacific Railroad Company, to connect the Texas and Pacific Railroad Company with San Francisco, rights of Atlantic and Pacific Railroad Company shall not be impaired. Section 23.

Act of July 27, 1866.

Damages (for lands taken), to be determined by commissioners. Section 7.
Depots, turnouts, etc. (same as foregoing).
Directors, thirteen to be elected by stockholders, to have charge of all moneys, properties, books, etc. Section 1.
Directors, qualifications of. Section 14.
Directors, empowered to make by-laws, etc., to fill vacancies in board, to appoint engineers, agents, etc. Section 15.
Directors, to require payment of 10 per cent cash assessment, and balance of subscriptions when needed, may prescribe terms for redemption of forfeited stock. Section 16.
Directors, compensation of, to be paid by railroad companies; penalty in case of neglect. Section 21.

Election of officers. Section 14.
Engineers, directors empowered to appoint. Section 15.
Engineers, compensation of, to be paid by railroad company; penalty in case of neglect. Section 21.

Act of April 20, 1871.

Equipment, may be mortgaged to secure bonds. Section 1.

Act of July 27, 1866.

Franchises, conferred by any authority, company authorized to accept. Section 17.
"First-class" railroad, company to construct. Section 5.
Forfeited stock, may be redeemed on terms prescribed by directors. Section 16.

Act of April 20, 1871.

Franchises, may be mortgaged to secure bonds. Section 1.
Foreclosure of mortgage, affected by breach of conditions of organic act. Section 1.

Act of July 6, 1886.

Forfeiture of grant of lands adjacent to uncompleted portion of road, except right of way, etc. Section 1.

Act of July 27, 1866.

Grant of lands (*see* "Land-grants").
Gauge, to be uniform. Section 5.
Grants, howsoever or by whomsoever conferred, company authorized to accept. Section 17.
Grant from Indian tribes, subject to approval of President United States. Section 17.
Incorporation of company. Section 1.
Indian titles, United States shall extinguish. Section 2.
Indian tribes, grants from, subject to approval of President United States. Section 17.
Land grant, 40 sections per mile in Territories, and 20 sections per mile in States. Section 3.
Land grant, shall be deducted if route is upon the line of any other road; road having previous grant may assign. Section 3.
Land grants, conditions of. Section 8.
Land grants from any source, company authorized to accept; Indian titles subject to approval by President of the United States. Section 17.
Land grants, patents shall not issue if company neglects payment of compensation to directors, engineers, commissioners, etc. Section 21.
Lands, not granted. Section 3.

Lands, to be surveyed as fast as construction of road may require. Section 6.
Lands necessary for construction of road; company authorized to take 100 feet on each side; turnouts, depots, etc.; damages. Section 7.
Lands held by persons subject to legal disability; proceedings in cases of. Section 7.
Lands unoccupied; claims barred if not made within six years; proceedings when. Section 7.
Line of road. Section 1.

Act of April 20, 1871.

Lands, may be mortgaged to secure bonds. Section 1.

Act of July 6, 1886.

Land grant adjacent to uncompleted portion of road, except right of way, etc., forfeiture of. Section 1.

Act of July 27, 1866.

Military road, subject to use of the United States. Section 11.
"Mineral," does not include iron or coal. Section 3.
Mineral lands not granted; agricultural lands in lieu of. Section 3.

Act of April 20, 1871.

Mortgage of road, equipment, lands, franchises, etc., authorized to secure bonds; to be filed and recorded in office of Secretary of Interior; breach of conditions of organic act will affect those claiming under foreclosure. Section 1.

Act of July 27, 1866.

Officers, election of. Section 14.
Officers, terms of. Section 15.
Patents for lands, not to be issued if company neglects payment of compensation to directors, engineers, commissioners, etc. Section 21.
Post-route, subject to use of the United States. Section 11.
Rails, to be made of American iron. Section 5.
Right of way, 100 feet in width on each side of road, exempt from taxation within the Territories. Section 2.
Route, if upon line of any other road, former grant shall be deducted. Section 3.

Act of June 25, 1868.

Reports (*see* Annual Reports).

Act of April 20, 1871.

Road, may be mortgaged to secure bonds. Section 1.

Act of July 6, 1886.

Right of way, exempt from forfeiture. Section 1.

Act of March 3, 1871.

Rights of Atlantic and Pacific Railroad Company shall not be impaired in construction of road by Southern Pacific Railroad Company to connect the Texas and Pacific Railroad Company with San Francisco. Section 23.

Act of July 27, 1866.

Stock (*see* "Capital stock").
Stockholders, annual meetings of, to elect thirteen directors. Section 1.
Subscriptions to capital stock, commissioners to open books for; first meeting of subscribers. Section 1.
Subscriptions to capital stock, by whom. Section 10.
Subscriptions to capital stock; directors to require payment of 10 per cent of assessments, and balance when needed. Section 16.

Survey of lands; shall be made as fast as construction of road may require. Section 6.
Transportation (United States), condition as to charges for. Section 5.
Transportation (United States), Congress may restrict charges for. Section 11.
Telegraph line, conditions as to charges for Government service. Section 5.
United States to extinguish Indian titles. Section 2.
Unoccupied lands, proceedings, claims barred if not made within six years. Section 7.
Vacancies in board, directors may fill. Section 15.

BURLINGTON AND MISSOURI RIVER RAILROAD IN NEBRASKA.

Amendment of July 2, 1864.

Bonds (United States), not to be issued in aid of road. Section 20.
Commissioners, appointment of to examine road. Section 20.
Completion of road. Section 20.
Extension of road through Territory of Nebraska, from Missouri River to one hundredth meridian, authorized. Section 18.
Extension of road, shall be completed within ten years. Section 20.
Grant of land (*see* "Land grant").
Indian titles, shall be extinguished by the United States. Section 18.
Land grant, ten alternate sections per mile on each side of road, with a proviso. Section 19.
Mineral lands not granted. Section 19.
Patents; shall issue upon certification by commissioners of completion of 20 miles of road. Section 20.
Right of way granted. Section 18.
Survey, lands not to be conveyed until payment of cost of. Section 21.

CALIFORNIA AND OREGON RAILROAD COMPANY (*see* "Oregon and California").

CENTRAL BRANCH UNION PACIFIC RAILROAD COMPANY (*see* Pacific Railroad acts).

CENTRAL PACIFIC RAILROAD COMPANY (*see* Pacific Railroad acts).

DENVER PACIFIC RAILWAY AND TELEGRAPH COMPANY.

Act of March 3, 1869.

Bonds (subsidy), not entitled to. Section 3.
Extension of road, to form continuous line from Kansas City to Cheyenne. Section 2.
Laws to apply. Section 2.
Mortgage of road, authorized. Section 3.
Operation of road, to be the same as if constructed by Union Pacific Railway Company, Eastern Division, but the latter not authorized to fix rates of tariff. Section 2.
Patents, for alternate sections of land. Section 3.
Rates, Union Pacific Railway Company, Eastern Division, not authorized to fix. Section 2.
Right of way, granted by Union Pacific Railway Company, Eastern Division. Section 1.
Union Pacific Railway Company, Eastern Division, may contract with, for construction of railroad and telegraph line between Denver and Cheyenne. Section 1.

HANNIBAL AND ST. JOSEPH RAILROAD COMPANY.

Act of July 1, 1862.

Company, on filing assent to this act, may unite with others in building road on equal terms. Section 10.
Extension of road authorized. Section 13.

IRON MOUNTAIN RAILROAD (*see* "St. Louis, Iron Mountain and Southern" Railroad Company).

KANSAS PACIFIC RAILWAY COMPANY.

Act of March 3, 1879.

Army, transportation of, settlements of accounts. Section 1.
Mails, settlement of accounts for transportation services. Section 1.

Joint resolution, March 3, 1869.

Name changed from "Union Pacific Railway Company, Eastern Division." Section 1.

Act of March 3, 1879.

Post-Office Department, settlement of accounts for transportation services. Section 1.
Transportation services (United States), settlement of accounts. Section 1.

LEAVENWORTH, PAWNEE AND WESTERN RAILROAD COMPANY (*see* Union Pacific Railroad Company, Eastern Division).

NORTHERN PACIFIC RAILROAD COMPANY.

Act of July 2, 1864.

Agricultural lands may be selected in lieu of mineral lands. Section 3.
Annual reports, verification of. Section 13.
Assignment of grant by previously aided road. Section 3.

Resolution of May 31, 1870.

American iron or steel only shall be used. Section 1.

Act of June 25, 1868.

Annual reports to be made at the same time as Union Pacific. (Repealed, act of June 19, 1878.)

Act of July 2, 1864.

Branch line to Portland, Oregon, authorized to be constructed. Section 1.
Bonds, first-mortgage, to be issued without the consent of Congress. Section 10.
By-laws, directors empowered to make. Section 15.

Joint resolution, March 1, 1869.

Bonds, first-mortgage, Congress consents to the issue of. Section 1.

Joint resolution, April 10, 1869.

Branch line, Portland to Puget Sound, not entitled to bonds or lands. Section 1.
Bonds, subsidy, not entitled to, for construction of branch line. Section 1.

Resolution, May 31, 1870.

Bonds, first-mortgage, issue of, authorized. Section 1.

Act of July 2, 1864.

Capital stock, $100,000,000, subscriptions to, first meeting of subscribers. Section 1.
Capital stock, who may subscribe. Section 10.
Capital stock, directors to require payment of subscriptions; if forfeited, may be redeemed. Section 16.
Capital stock, act to be null and void unless $2,000,000 are subscribed within two years. Section 19.
Claims, barred if not made within six years. Section 7.
Company to accept terms within two years. Section 12.
Company authorized to accept other grants and franchises. Section 17.
Completion of road, by July 4, 1876, time extended. (*See* Joint resolution, May 7, 1866, and Joint resolution, July 1, 1868.) Section 8.
Completion of road, Congress may insure. Section 9.
Commissioners, board appointed, first meeting of; officers, shall deliver to directors all properties. Section 1.

Commissioners, to examine road; President of the United States shall appoint three; report of. Section 4.
Connections with other roads. Section 5.
Consent of State legislatures to be obtained. Section 18.
Construction, materials for, may be taken from adjacent lands. Section 2
Congress, powers of, over legislation. Section 20.

Joint resolution, May 7, 1866.

Completion of road, time extended two years. Section 2.

Joint resolution, July 1, 1868.

Completion of road, time extended to July 4, 1879. Section 1.

Act of July 2, 1864.

Damages, for lands taken, to be determined by commission. Section 7.
Depots, turnouts, station houses, etc., company authorized to take necessary lands. Section 7.
Directors, thirteen shall be elected by stockholders; shall receive from commissioners all properties. Section 1.
Directors, shall elect officers. Section 14.
Directors, terms of office; empowered to make by-laws, rules, and regulations; to fill vacancies in board; to appoint engineers, agents, etc.; to require payment of subscriptions to capital stock, and prescribe terms of redemption of forfeited stock. Section 16.

Joint resolution, May 7, 1866.

Extension of time for completion of road, two years. (*See* Joint resolution, July 1, 1868.) Section 2.

Act of July 2, 1864.

Franchises (other), company authorized to accept. Section 17.
First-class railroad, shall be constructed. Section 5.
Forfeited stock, may be redeemed on terms prescribed by directors. Section 16.

Joint resolution, March 1, 1869.

First-mortgage bonds (*see* "Bonds, first-mortgage").

Act of July 2, 1864.

Grant of land (*see* "Land grant").
Grants, made subject to certain conditions. Section 3.
Grants (other), company authorized to accept. Section 17.
Gauge, shall be uniform. Section 5.
Government lands, not to be sold for less than $2.50 per acre. Section 6.
Incorporation of company. Section 1.
Indian titles, shall be extinguished by the United States. Section 2.
Land grant, 40 sections per mile in Territories, and 20 sections in States. Section 3.
Land grant, shall be deducted if route is upon line of any other aided road; road having previous grant may assign. Section 3.
Lands in lieu of those reserved. Section 3.
Land limits. Section 3.
Lands in Minnesota, proviso regarding. Section 4.
Lands to be surveyed as fast as construction of road may require. Section 6.
Lands (Government) not to be sold for less than $2.50 per acre. Section 6.
Lands necessary for construction of road, company authorized to take; 200 feet on each side; damages to be determined by commission. Section 7.
Lands unoccupied, or when held by persons subject to legal disability; proceedings. Section 7.
Line of road. Section 1.

Joint resolution, April 10, 1869.

Lands, additional, for branch line, not entitled to. Section 1.

Resolution, May 31, 1870.

Lands, indemnity; limits, 60 miles on each side of road. Section 1.
Lands unsold and not mortgaged; subject to settlement at not over $2.50 per acre, five years after completion of road. Section 1.

Act of July 2, 1864.

Materials for construction, may be taken from adjacent lands. Section 2.
Military road, shall be. Section 11.
"Mineral" lands not granted; agricultural lands may be selected in lieu of. Section 3.
"Mineral," does not include iron or coal. Section 3.
Minnesota lands, proviso. Section 4.
Mortgage, to be filed and recorded in office of Secretary of Interior. Section 1.
Officers, election of, by directors. Section 14.
Officers, terms of. Section 15.
Post route, road shall be. Section 11.

Joint resolution, March 1, 1869.

"Puget Sound," meaning of term. Section 1.

Act of July 2, 1864.

Rails to be of American iron. Section 5.
Report (*see* "Annual report").
Right of way; 200 feet in width on each side of road; exempt from taxation. Section 2.
Road having previous grant may assign. Section 3.
Road previously built, proviso. Section 4.
Road to be constructed as a first-class railroad. Section 5.
Road to be completed by July 4, 1876 (*see* Joint resolution, May 7, 1866, and joint resolution, July 1, 1868); time extended. Section 8.
Road, Congress may insure completion of. Section 9.
Route, if upon line of any other aided road, former grant shall be deducted. Section 3.

Joint resolution May 7, 1866.

Road, time of completion extended two years. Section 2.

Joint resolution, July 1, 1868.

Road, time for completion extended to July 4, 1879. Section 1.

Act of July 2, 1864.

State legislatures; consent of to be obtained. Section 18.
Stock (*see* "Capital stock").
Stockholders; annual meetings; to elect thirteen directors. Section 1.
Subscriptions to capital stock; opening of books; first meeting of subscribers. Section 1.
Subscriptions to capital stock; directors to require payment of. Section 16.
Subscriptions to capital stock; act to be void unless $2,000,000 are subscribed within two years. Section 19.
Survey of lands; as fast as construction of road may require. Section 6.
Transportation (United States); charges for. Section 5.
Transportation (United States); Congress may restrict charges. Section 11.
Telegraph line; charges for Government service. Section 5.
United States shall extinguish Indian titles. Section 2.
Unoccupied lands, proceedings in regard to; claims barred if not made within six years. Section 7.
Vacancies in board, directors empowered to fill. Section 15

NEW ORLEANS, BATON ROUGE, AND VICKSBURG RAILROAD COMPANY.

Act of March 3, 1871.

Completion of road within five years. Section 22.
Connection with Texas and Pacific Railway. Section 22.
Land grant, to aid in construction, 20 sections per mile in State of Louisiana. Section 22.
Lands selected shall be withdrawn from market. Section 22.
Patents, issue of, for lands withdrawn from market. Section 22.
Right of way. Section 22.

OREGON SHORT LINE RAILWAY COMPANY.

Act of August 2, 1882.

Created a railroad corporation in Territories of Utah, Idaho, and Wyoming. Section 1.

OREGON AND CALIFORNIA RAILROAD COMPANY.

Act of April 10, 1869.

Assent of company to act may be filed within one year. Section 1.
Acquired rights not affected. Section 1.

Act of July 25, 1866.

"Company," what to include. Section 9.
Completion of road; company first completing its part may continue with the consent of the State. Section 1.
Completion of road, July 1, 1875. Section 6.
Commissioners, appointment of, to examine road; to report under oath. Section 4.
Construction, materials for, may be taken from adjacent lands. Section 3.
Discrimination, none to be made. Section 7.
Failure to comply with conditions, act to be void. Section 8.
Gauge to be same as Central Pacific Railroad. Section 6.
Grant of land (*see* Land grant).
Homestead laws, provision relating to settlers under. Section 2.
Land grant, 20 sections per mile, if sold or occupied; limits; to be withdrawn from sale when maps of surveys are filed; to be applied to building roads; sale of, and price; settlers under preëmption laws and homestead act. Section 2.
Land grant, condition of. Section 5.
Laws of respective States to govern companies. Section 9.
Line of road. Section 1.

Act of April 10, 1869.

Land grant, not more than one company entitled to. Section 1.
Lands, sale of, how and to whom. Section 1.

Act of July 25, 1866.

Mineral lands; not granted. Section 10.
"Mineral" not to include coal and iron. Section 10.
Operation of road as one continuous line. Section 7.
Patents, conditions of issue. Section 4.
Penalties, for neglect to keep road and telegraph line in repair. Section 8.
Preëmption laws, provision relating to settlers under. Section 2.
Public highway, railroad to be. Section 5.
Public lands, when road does not pass through, consent of States to be obtained by companies. Section 11.
Right of way granted. Section 3.
Road to be kept in repair; penalty for neglect. Section 8.
Road, when passing through States, consent of, to be obtained by companies. Section 11.

Act of April 10, 1869.

Rights acquired; not affected. Section 1.

Act of July 25, 1866.

States, consent of, to be obtained by companies where road and telegraph line do not pass through public lands. Section 11.
State laws to govern companies. Section 9.
Settlers under preëmption laws and homestead act. Section 2.
Transportation; rates shall be fair and reasonable. Section 5.
Transportation of property and troops of the United States shall be at cost of companies. Section 5.
Telegraph line; to be kept in repair; penalty for neglect. Section 8.
Telegraph line; when passing through States, consent of, to be obtained by companies. Section 11.

"PACIFIC RAILROAD ACTS."

Act of July 1, 1862.

Annual reports to be made by companies to the Secretary of the Treasury. Section 20. (Repealed, 20 Stat., 169.) *See* section 1, act of June 25, 1868, and Thurman act.
Assent of company to this act shall be filed in Department of Interior. Section 7.

Amendment of July 2, 1864.

Affidavit of Central Pacific Railroad Company to be filed in California. Section 6.
Appraisement of property (right of way). Section 3.
Appeal from assessment of damages or appraisement of property (right of way), bonds on, costs of, title after. Section 3.
Assessment of damages (right of way). Section 3.
Assessments on stockholders. Section 2.

Act of March 3, 1865.

Assignment by Central Pacific to Western Pacific Railroad Company to build a railroad and telegraph line between San Jose and Sacramento confirmed. Section 2.

Act of June 25, 1868.

Annual reports to be made to the Secretary of the Interior, when, what to contain. Section 1. (Repeal of section 20, act of 1862.)

Joint resolution, April 10, 1869.

Attorney-General authorized to institute necessary suits. Section 3.
Attorney-General to investigate whether charters of Union Pacific and Central Pacific Railroad companies have not been forfeited. Section 4.

Act of March 3, 1873.

Attorney-General shall bring suit in equity against the Union Pacific Railroad Company *et al.* for unpaid subscriptions to capital stock, etc. Section 4.

Act of June 22, 1874.

Attorney-General shall bring suit for 5 per cent of net earnings due and unpaid. Section 1.

Act of March 3, 1875.

Army, transportation of; no money shall be paid by the United States to any railroad company constructed by the aid of a grant of public land on condition that such railroad should be "a public highway;" company may sue in Court of Claims, provided claim is not barred by statute of limitations; either party shall have right of appeal to Supreme Court. Section 1.

Act of April 30, 1878.

Army, transportation of. Section 1.

Act of May 7, 1878 (Thurman act).

Attorney-General shall institute proceedings against the companies. Section 10.
Attorney-General shall enforce forfeitures. Section 11.

Act of June 19, 1878.

Auditor of railroad accounts:
Application of act. Section 6.
Companies to report. Section 4.
Date of effect, July 1, 1878. Section 7.
Duties of auditor. Section 3.
Organization of bureau. Section 2.
Penalty for neglect or refusal of companies to report. Section 5.

Act of March 3, 1879.

Accounts of Pacific railroads (Post-Office Department), settlement of. Section 1.

Act of March 3, 1881.

"Auditor of Railroad Accounts," title changed to Commissioner of Railroads, salary of. Section 1.

Act of June 30, 1882.

Army, payment to land-grant railroads for transportation of. Section 1.

Act of July 1, 1862.

Bond, commissioners' treasurer. Section 1.
Bonds, first-mortgage, when and how paid. Section 6.
Bonds, subsidy, issue of, as work proceeds; lien of, to be made subordinate. Section 5 (*see* sections 5, 8, 10, and 11, amendment of 1864).
Bonds, double, between the mountains and treble over the Rockies and Sierras. Section 11.
Bonds, deliverable on account of construction; reservation of 25 per cent. Section 17. (Repealed, section 7, act of 1864.)
Bond and interest account, 5 per cent of net earnings shall be applied in payment of. Section 6.
Books, for subscriptions to capital stock, to be opened in principal cities. Section 1 (*see* section 2, amendment of 1864).
Books and property, to be delivered to directors. Section 1.
By-laws, to be made by stockholders. Section 1.

Amendment of July 2, 1864.

Bridges, conditions of construction. Section 9.
Bonds, first-mortgage, to have priority of lien over those of the United States. Section 10 (*see* section 5, act of 1862, also, section 1, act of 1865).
Bonds, already issued by companies, provision for. Section 11.
Bonds, outstanding, affidavit of President and Secretary to be filed in the Department of the Interior. Section 11.
Bonds, subsidy, partial issue of, on uncompleted work. Section 8 (*see* section 11, act of 1862).
Bonds, restrictions upon issue of. Section 9.
Bonds, shall not be issued on account of any road prior to act of 1862. Section 11.
Bonds, shall not be issued to Leavenworth and Lawrence roads. Section 12.
Bonds, shall not be issued to Union Pacific Railroad Company, eastern division, for construction east of the Rocky Mountains until completion of said road from Omaha to the 100th meridian. Section 12 (*see* section 1, act of July 3, 1866).

Act of March 3, 1865.

Bonds, first-mortgage, Central Pacific, Western Pacific, Union Pacific, and Union Pacific, eastern division, may issue 100 miles in advance of completed line. Section 1 (*see* section 10, act of 1864).

Joint resolution, April 10, 1869.

Bonds (United States), President authorized to withhold sufficient to secure completion of road. Section 3.

Act of February 24, 1871.

Bonds authorized to be issued by the Union Pacific Company, for construction of bridge across the Missouri River at Omaha. Section 1.

Act of April 30, 1878.

Bonds (United States), interest on, proviso in deficiency appropriation. Section 1.

Act of May 7, 1878 (Thurman act).

Bonds, subsidy; amount of, loaned by United States:
Central Pacific Railroad Company, $25,885,125.
Western Pacific Railroad Company, $1,970,560.
Union Pacific Railroad Company, $27,236,512. (Preamble.)
Bonds, first-mortgage, same amounts as above, issued and disposed of by companies. *Ibid.*

Act of July 1, 1862.

Capital stock, amount and number of shares (*see* section 1, amendment of 1864), commissioners shall receive subscriptions to, directors may require payments of. Section 1.
"Company," meaning of term. Section 15.
Companies shall have power to make by-laws. Section 1.
Companies may unite in building road on equal terms. Sections 10 and 16 (*see* section 16, amendment of 1864).
Companies named in section 19 may arrange with telegraph companies now existing. (*See* section 15, amendment of 1864).
Commissioners' treasurer shall give bond. Section 1.
Commissioners first meeting to be held in Chicago. Section 1.
Commissioners, appointment and meetings of, shall receive subscriptions to capital stock, shall call meetings of stockholders, shall elect directors. Section 1 (*see* section 13, amendment of 1864).
Commissioners, shall examine road on completion of 40 miles. Section 4 (changed to 20, section 6, amendment of 1864).
Commissioners, vacancies in board shall be filled by the President of the United States. Section 4 (*see* section 6, amendment of 1864).
Compensation for services rendered the United States, rates shall be fair and reasonable. Section 6.
Completion of road, time extended. Section 7 (*see* section 5, act of 1864).
Completion of road, main lines to be finished in 1876. Section 17 (*see* sections 5 and 7, amendment of 1864).
Completion of road (Kansas company), time of doing work. Section 10 (*see* section 5, amendment of 1864.)
Congress may compel speedy completion of road. Section 17.
Congress may reduce rates of fare, when net earnings, after sundry deductions, shall exceed 10 per cent. Section 18.
Connections with other roads. Section 15.
Consolidation of companies. Sections 10 and 16 (*see* section 16, amendment of 1864).

Amendment of July 2, 1864.

Capital stock (Union Pacific), shares changed from $1,000 to $100. Section 1.
Capital stock, shall not be increased; deemed personal property. Section 2.
Coal, not included in term "mineral lands." Section 4.

Commissioners, President of the United States authorized to appoint three. Section 6 (*see* section 4, act of 1862).
Companies, may consolidate. Section 16 (*see* sections 10 and 16, act of 1862).
Connection of roads west of initial point. Section 9.
Completion of road, Central Pacific, required to complete 25 miles per year; four years to State line. Section 5.
Completion of road, when Central Pacific, shall reach eastern line of California, may go on 150 miles if Union Pacific is not met. Section 16 (*see* section 10, act of 1862, and section 2, 1866).
Consolidation of companies. Section 16 (*see* sections 10 and 16, act of 1862).
Consolidated companies may build portion of line left uncompleted by any company; powers and duties of. Section 16.

Joint resolution, April 10, 1869.

Commissioners, appointment of, by the President to examine and report upon roads; expenses and pay of. Section 2.

Act of March 3, 1873.

Capital stock, Attorney-General shall bring suit in equity for unpaid subscriptions. Section 4.

Act of May 7, 1878 (Thurman act).

Compensation for services rendered the United States; amount retained; how applied. Section 2.

Act of March 3, 1881.

Commissioner of Railroads, title changed from "Auditor of railroad accounts." Section 1.

Act of July 1, 1862.

Directors, thirteen shall be elected by commissioners, shall have charge of books and property, two (additional) shall be appointed by the President of the United States (altered to five, section 13, act of 1864), qualifications of (amended by section 1, act of 1864), shall have power to appoint agents, to require payment of subscriptions to capital stock (*See* section 2, amendment of 1864). Section 1.
Directors, term of office. Section 1. (*See* section 14, 1864.)

Amendment of July 2, 1864.

Damages (right of way), assessment of, how disposed of. Section 3.
Directors, fifteen to be elected by the stockholders and five to be appointed by the President of the United States. Section 13. (*See* section 1, act of 1862.)
Directors (Government), one to be placed on each standing committee of the company and one on each special committee. Section 13.
Directors (Government), duties of. Section 13.
Directors, time and place of election, term of office. Section 14. (*See* section 1, act of 1862).

Act of March 3, 1873.

Directors of Union Pacific Railroad Company shall not be interested in any contract except as provided. Section 4.
Dividends shall not be made but from actual net earnings. Section 4.

Act of May 7, 1878 (Thurman act).

Dividends, when prohibited, penalty for violation. Section 6.

Act of July 1, 1862.

Fare, rates may be reduced by Congress under certain circumstances. Section 18.
Five per cent of net earnings shall be applied in payment of bonds and interest. Section 6.
First-mortgage bonds (*see* "Bonds, first mortgage").

Amendment of July 2, 1864.

Failure of one company not to affect others. Section 7. (*See* section 17, act of 1862.)
Ferries, condition of construction. Section 9.
First-mortgage bonds (*see* "Bonds, first mortgage").

Act of June 22, 1874.

Five per cent of net earnings shall be demanded by the Secretary of the Treasury. Section 1.

Act of May 7, 1878 (Thurman act).

Forfeitures by companies for failure to perform requirements, how enforced. Section 11.

Act of July 1, 1862.

Grant of land, alternate sections. Section 3. (*See* section 4, amendment of 1864.)
Government bonds (*see* "Bonds, subsidy").
Government transportation, rates shall be fair and reasonable, and applied to payments of bonds and interest. Section 6.
Government transportation, half to be paid in cash. Section 6. (*See* section 5, amendment of 1864, and section 9, act of March 3, 1871.)

Amendment of July 2, 1864.

Grant of land doubled, restrictions upon. Section 4.
Government bonds (*see* "Bonds, subsidy").
Government lien, to be subordinate. Section 10.
Government transportation, one-half to be applied to payment of bonds. Section 5.

Act of May 7, 1870.

Grant of certain sections of land in locating termini of road (Central Pacific and Union Pacific companies). Section 1.

Act of March 3, 1871.

Government transportation, one-half to be paid in cash. Section 9. (*See* section 6, act of 1862, and section 5, amendment of 1864).

Act of March 3, 1875.

Government transportation, no money shall be paid to any railroad constructed by the aid of a grant of public land on condition that such road should be "a public highway," etc., company may sue in Court of Claims, statute of limitations. Section 1.

Act of July 1, 1862.

Indian titles, United States shall extinguish. Section 2. (*See* section 18, amendment of 1864.)

Amendment of July 2, 1864.

Iron, not included in term "mineral lands." Section 4.

Act of March 3, 1873.

Interest on bonds of the United States not reimbursed, Secretary of Treasury authorized to withhold payments for transportation, companies may bring suit in Court of Claims, causes on appeal to United States Supreme Court to have precedence. Section 2.

Act of April 30, 1878.

Interest on United States bonds to be deducted before payment for transportation. Section 1. (Proviso in deficiency appropriation.)

Act of May 7, 1878 (Thurman act).

Interest paid by United States on subsidy bonds: Central Pacific and Western Pacific companies, $13,500,000; Union Pacific Railroad Company, $10,000,000 (Preamble.)
Interest on companies' obligations, when 75 per cent of net earnings are insufficient to pay, Secretary of Treasury may remit so much of the 25 per cent of net earnings required to be paid into the sinking fund as may have been applied in payment of interest. Section 5.

Act of March 3, 1887.

Investments of sinking funds, how made. Section 5.

Act of May 6, 1870.

Junction point of Union Pacific and Central Pacific railroads, established northwest of station at Ogden. Section 1.

Act of July 1, 1862.

Land grants, alternate sections. Section 3 (*see* section 4, amendment of 1864).
Land patents, conditions of issue. Section 4.
Lands within 15 miles of designated route to be withdrawn from sale, etc. Section 7 (changed to 25, section 4, amendment of 1864).
Line of road. Sections 8 and 10.
Location of road. Section 1.
Location of road at State lines and one hundredth meridian, provisions relating to. Section 12.

Amendment of July 2, 1864.

Land grants, doubled. Section 4 (*see* section 3, act of 1862).
Land, not to be granted to any road prior to act of 1862. Section 11.
Lands, not to be conveyed to any company until payment of cost of survey. Section 21 (*see* section 4, act of 1862, and section 6, this amendment).
Lands, exempted from operation of act. Section 4.
Lands, patented. Section 6 (*see* section 4, act of 1862).
Lands unoccupied, how acquired. Section 3.
Leavenworth road, if built to one hundredth meridian, may proceed in default of Union Pacific. Section 12.
Line of road, through "intervening States." Section 6 (*see* section 10, act of 1862).

Act of May 6, 1870.

Land, grant of certain sections to locate termini of road (Central Pacific and Union Pacific). Section 1.
Land, reserved for schools, price of. Section 1.

Act of May 7, 1878 (Thurman act).

Liabilities of Central Pacific and Union Pacific Railroad Companies, exclusive of interest, $184,000,000. (Preamble.)

Lien of United States on all properties of companies. Section 9.

Act of July 1, 1862.

Map designating route of road, to be filed in the Department of the Interior. Section 7 (*see* section 5, amendment of 1864).
Minerals, conditions of grant. Section 3 (*see* section 4, amendment of 1864).

Amendment of July 2, 1864.

"Mineral lands," coal and iron not included. Section 4.

Act of July 3, 1866.

Map of Union Pacific (Eastern Division) Railway Company, time for filing extended. Section 1.

Act of March 3, 1887.

Mortgage, United States; proceedings necessary to protect. Section 4.

Act of July 1, 1862.

Name and title of road. Section 1.
Net earnings, 5 per cent shall be applied to bond and interest account. Section 6.
Net earnings, when amount shall exceed 10 per cent of cost (after sundry deductions) Congress may reduce rates of fare. Section 18.

Act of March 3, 1873.

Net earnings, in case 5 per cent is not applied according to law, Secretary of Treasury shall withhold payments for Government transportation; companies may bring suit in Court of Claims; causes on appeal to United States Supreme Court shall have precedence. Section 2.

Act of June 22, 1874.

Net earnings, Secretary of Treasury shall demand 5 per cent. Section 1.

Act of May 7, 1878 (Thurman act).

Net earnings, how ascertained. Section 1.
Net earnings, when 75 per cent are insufficient to pay the annual interest on prior lien of companies' obligations, Secretary of Treasury authorized to remit so much of the 25 per cent thus applied. Section 5.

Act of July 1, 1862.

Officers, to hold for three years. Section 1 (*see* section 14, amendment of 1864).

Act of February 24, 1871.

Omaha Bridge; Union Pacific Railroad Company may issue $2,500,000 of bonds to construct; Congress may regulate tolls and fares. Section 1.

Act of July 1, 1862.

Patents of land, conditions of issue. Section 4.

Act of May 6, 1870.

Private rights, shall not be affected. Section 1.

Act of March 3, 1875.

"Public highway," conditions of grant in connection with use of roads by the Government of the United States. Section 1.

Act of May 7, 1878 (Thurman act).

Property of the companies, United States lien on. Section 9.
Proceedings against the companies, when. Section 10.

Act of March 3, 1879.

Pacific railways, settlement of accounts of. Section 1.
Post-Office Department, settlement of accounts of. Section 1.

Act of March 1, 1881.

Post-Office Department, penalty for not providing railway postal cars. Section 1.
Postal cars, penalty for not providing. Section 1.

Act of June 30, 1882.

Payment to land-grant railroads for transportation. Section 1.

Act of March 3, 1887.

Protection of the security of the United States. Section 4.

Act of July 1, 1862.

Rates of fare may be reduced by Congress under certain circumstances. Section 18.
Reports (annual) to be made by companies to the Secretary of the Treasury. Section 20. (Repealed, 20 Stat., 169.) (*See* Section 1, act of June 25, 1868, and Thurman act.)
Reservation of 25 per cent on installments of bonds. Section 17. (Repealed, section 7, amendment of 1864.)
Right of way granted. Section 2 (*see* section 3, amendment of 1864).
Route, location of, at State lines or one hundredth meridian; in case of difference between companies. President of the United States shall determine. Section 12.
Route of road, map to be filed in the Department of the Interior. Section 7.
Road to be used as a continuous line. Section 12 (*see* section 15, amendment of 1864).
Road, other companies may connect with. Section 15.
Roads named in Section 19, may arrange with the telegraph companies now existing (*see* section 15, amendment of 1864).

Amendment of July 2, 1864.

Reservation of bonds, section 17; act of 1862, repealed.
Right of way; additional; absentees; appraisement of property; appeal; bonds on; costs of; title after; damages, how disposed of. Section 3 (*see* section 2, act of 1862).
Roads may connect west of initial point. Section 9.
Route of road, time for designating and filing map extended one year. Section 5 (*see* section 7, act of 1862).

Act of June 25, 1868. *

Reports (companies), when to be made and what to contain. Section 1.
Reports (commissioners) to be made to the Department of the Interior. Section 3.
Reports (engineers and other officers) to be furnished annually to the Secretary of the Interior. Section 4 (section 20, act of 1862, repealed).

Act of June 20, 1874.

Roads to be operated as a continous line, penalty for failure or refusal. Section 1.

Act of June 19, 1878.

Railroad bureau, organization of. Section 2.
Reports, filing of, by railroad companies; repeal of prior laws (section 20, act of 1862, and act of June 25, 1868). Section 1.
Reports of railroad companies; of what to consist. Section 4.
Reports of railroad companies; penalty for refusal to make. Section 5.

Act of March 1, 1881.

Railway post-office car service; penalty for not providing postal cars. Section 1.

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* Repealed by Thurman act.

Act of July 1, 1862.

State lines, location of road. Section 12.
Stock, capital, amount and number of shares; commissioners shall receive subscriptions to; directors may require payments of. Section 1 (*see* section 2, amendment of 1864).
Stockholders shall have power to make by-laws; commissioners shall call meetings of. Section 1.
Subsidy bonds (*see* "Bonds, subsidy").

Amendment of July 2, 1864.

Stock, capital, shares changed from $1,000 to $100. Section 1.
Stock, assessment of stockholders, how paid; shall not be increased; deemed personal property. Section 2.
Subscriptions to capital stock; percentage to be paid; books to be kept open in several cities. Section 2.
Subsidy bonds (*see* "Bonds, subsidy").
Surveys, cost of; land not to be conveyed to any company until payment of. Section 21 (*see* section 4, act of 1862, and section 6, this amendment).

Joint resolution, April 10, 1869.

Stockholders of Union Pacific Railroad Company shall elect a board of directors and establish their general office. Section 1.

Act of May 6, 1870.

School lands reserved. Section 1.

Act of March 3, 1873.

Subscriptions to capital stock unpaid; Attorney-General shall bring suit in equity Section 4.

Act of May 7, 1878. (Thurman act.)

Sinking fund established. Section 3. (amended by section 5, act of March 3, 1887).
Sinking fund, credits and payments to. Section 4.
Sinking fund, application of. Section 8.

Act of March 3, 1887.

Sinking funds, investment of. Section 5.

Act of July 1, 1862.

Track to be of uniform width. Section 12.
Transportation services rendered the United States; rates shall be fair and reasonable; half to be paid in cash. Section 6 (*see* section 5, amendment of 1864).
Telegraph companies now existing; roads named in section 19 may arrange with, (*see* section 15, amendment of 1864).
Treasurer to give bond. Section 1.
Timber, conditions of grant. Section 3.

Amendment of July 2, 1864.

Transportation services rendered the United States, one-half compensation shall be applied to the payment of bonds issued by the Government. Section 5 (*see* section 6, act of 1862).
Telegraphing, penalty for failure to extend facilities to the public. Section 15 (*see* section 19, act of 1862).
Timber in land grants to belong to company, with a proviso. Section 4.
Title to right of way, payment of. Section 3.

Joint resolution, April 10, 1869.

Termini of roads (Union Pacific and Central Pacific) shall be at or near Ogden. Section 1.

Act of May 6, 1870.

Termini of roads, location of (Union Pacific and Central Pacific); grant of certain sections of land. Section 1.

Act of March 3, 1871.

Transportation services rendered the Government by Pacific railroads; one-half compensation to be paid in cash. Section 9.

Act of March 3, 1873.

Transportation services rendered the Government; Secretary of the Treasury authorized to withhold payments for reimbursement of interest and 5 per cent of net earnings; companies may bring suit in Court of Claims; causes on appeal to Supreme Court, United States, shall have precedence. Section 2.

Act of March 3, 1875.

Transportation of property or troops of the United States; no money shall be paid to any railroad constructed by the aid of a grant of public land on the condition that such road should be a "public highway;" companies may bring suit in Court of Claims. Section 1.

Act of April 30, 1878.

Transportation of Army; proviso in deficiency appropriation.

Act of May 7, 1878. (Thurman act.)

Transportation services rendered the Government; amount retained; how applied. Section 2.

Act of June 30, 1882.

Transportation of Army, payment to land-grant railroads for. Section 1.

Act of July 1, 1862.

United States bonds (*see* "Bonds, subsidy").
United States to extinguish Indian titles. Section 2.

Amendment of 1864.

Uncompleted work, consolidated roads may finish. Section 16.
Unoccupied lands, how acquired. Section 3.

Act of May 7, 1878. (Thurman act.)

United States lien on all property of the railroad companies. Section 9.

Act of July 1, 1862.

Vacancies in Board of Commissioners, how filled. Section 4 (*see* section 6, amendment of 1864).

ST. LOUIS, IRON MOUNTAIN AND SOUTHERN RAILWAY COMPANY.

Act of June 28, 1884.

"Iron Mountain Railroad Company," repeal of act of July 4, 1866.
Land grant, alternate sections, designated by odd numbers, 10 sections in width on each side of road. (Preamble.)
Lands, restored to the public domain. Section 1.
Line of road. Section 1.
Release of obligations, exclusion of part of line from operation of. Section 1.
Settlers on land grant, at the time of the passage of this act, shall have a prior right to acquire the same, not exceeding 160 acres; proviso. Section 1.

SIOUX CITY AND PACIFIC RAILROAD COMPANY.

Act of March 3, 1879.

Accounts, for transportation services rendered the United States, settlement of. Section 1.

Amendment of July 2, 1864.

Bonds, company entitled to same amount as if road was constructed by Union Pacific. Section 17.
Completion of road, proviso. Section 17.

Act of July 1, 1862.

Line of road (*see* section 17, amendment of 1864). Section 14.

Amendment of July 2, 1864.

Land grant; alternate sections 10 miles in width along entire length of road. Section 17.
Road, if not completed within ten years, shall be forfeited to and become the property of the United States. Section 17.
SOUTHERN TRANSCONTINENTAL RAILWAY COMPANY (heretofore merged in and consolidated with the Texas and Pacific Railway Company under the laws of the State of Texas).

Act of June 22, 1874.

Mortgage of road and property, east of Fort Worth by the Texas and Pacific Railway Company, to secure construction bonds; authorized. Section 1.

SOUTHERN PACIFIC RAILROAD COMPANY OF CALIFORNIA.

Act of July 27, 1866.

Connection may be made with Atlantic and Pacific Railroad at or near the boundary line of California. Section 18.
Gauge shall be uniform with Atlantic and Pacific Railroad. Section 18.
Land grant shall be same as Atlantic and Pacific Railroad. Section 18.
Rates shall be same as Atlantic and Pacific Railroad. Section 18.

Act of June 25, 1868.

Annual reports (same as Union Pacific) shall be made to the Secretary of the Interior on or before October 1, in each year. Section 2. (Repealed, act of June 19, 1878.)

Act of March 3, 1871.

Construction of road to connect the Texas Pacific Railroad with San Francisco; authorized, with a proviso. Section 23.

Act of June 22, 1874.

Mortgages, by Texas and Pacific Railway Company, to secure construction bonds, shall embrace the road and property of Southern Pacific Railroad Company east of Fort Worth. Section 1.

TEXAS PACIFIC RAILROAD COMPANY.

Act of March 3, 1871.

Atlantic and Pacific Railroad Company, rights of shall not be impaired in construction of road by Southern Pacific Railroad Company of California, to connect the "Texas Pacific" with San Francisco. Section 23.
American ore shall be used in the manufacture of iron and steel rails. Section 16.
Annual report, when and where to be made, and what to contain. Section 13.
Arrangements (running), authorized with other companies. Section 5.
Assets of purchased roads, debts greater than, not to be assumed. Section 6.
Bonds (construction and land), issue of, by company, and security for; proceeds of sales, how applied. Section 11.
Bonds issued by company, amount of; payable in gold; how signed. Section 14.
Bonds (construction and land), limitations as to. Section 14.
Buildings, lands granted not exceeding 40 acres at any one point. Section 8.
By-laws, authority to make and enforce. Section 7.
Capital stock, opening of books for subscriptions to. Section 2.
Capital stock, $50,000,000, not to be increased without consent of Congress. Section 3.
Capital stock, how signed. Section 14.
Coal, not included in "Mineral." Section 9.
Company incorporated. Section 1.
Completion of road, issue of patents for each 20-mile section. Section 12.
Completion of road within ten years, Congress may secure. Section 17.
Compensation for transportation services rendered the United States; rates shall be fair and reasonable. Section 19.
Commissioners, constitution of board, meetings of. Section 2.
Commissioners to examine road, appointment of. Section 18.
Congress may insure speedy completion of road. Section 17.
Connections with other roads, no discrimination against; rates not to exceed prices fixed by Congress on Union Pacific and Central Pacific roads. Section 15.
Construction of road by Southern Pacific Railroad Company, to connect the "Texas Pacific" with San Francisco; rights of Atlantic and Pacific Company shall not be impaired. Section 23.
Construction of road, materials may be taken from adjacent lands. Section 8.
Construction bonds (*see* "Bonds").
Construction of road, where to begin, progress of work, Congress may insure speedy completion. Section 17.
Consolidation of road with any company not having a competing through line authorized. Section 4.
Contracts for construction of road, shall not be made by directors. Section 20.
Debts of purchased roads, greater in amount than the cash value of assets received, shall not be assumed. Section 6.
Depots, companies crossing road shall have lands for. Section 2.
Directors, number of, term of office, shall elect officers. Section 2.
Directors, shall not contract for construction of any part of road. Section 20.
Discriminations against connecting roads, shall not be made. Section 15.
Election of officers. Section 2.
Franchises and rights of purchased roads, shall vest in Texas Pacific Railroad Company, obligations shall be assumed except debts greater in amount than the cash value of assets received. Section 6.
Grant of land (*see* "Land grant").
Grounds for stations, etc., not exceeding 40 acres of land at any one point, granted. Section 8.
Homestead acts, provisions of extended to other lands. Section 12.
Incorporation of company. Section 1.
Interest on bonds, issued by company, payable in gold. Section 14.
Iron, not included in "Mineral." Section 9.
Land bonds (*see* "Bonds").
Lands, acquisition of. Section 5.
Lands, granted for stations, buildings, etc., not exceeding 40 acres at any one point. Section 8.
Land grant, 40 sections per mile in Territories, and 20 sections per mile in California. Section 9.
Land granted; if disposed of, other lands may be selected; limits of; provision as to Mexican boundary. Section 9.
Lands granted in California. Section 9.
Lands granted and not sold or disposed of in three years, to be subject to settlement. Section 9.

Lands, patents shall issue on completion of each 20-mile section. Sections 12 and 18.
Lands, withdrawal of, from preëmption and sale. Section 12.
Lands, disposal of, to other companies crossing road. Section 21.
Liens (prior), not to be impaired. Section 6.
Line of road. Section 1.
Map of road, to be filed within two years. Section 12.
Materials for construction of road may be taken from adjacent lands. Section 8.
Mexican boundary, provisions as to. Section 9.
"Military post road," railroad declared to be. Section 19.
"Mineral," not to include iron or coal. Section 9.
Mortgage of road, franchises, grants, and acquired lands as security for issue of bonds, to be filed and recorded in Department of Interior. Section 11.
Mortgages issued by company, amount of, how signed, interest payable in gold. Section 14.
Mortgaged lands, limit of construction and land bonds. Section 14.
Name of road changed from "Texas Pacific Railroad Company" to The Texas and Pacific Railway Company (*see* Act of May 2, 1872). Section 1.
New Orleans, Baton Rouge and Vicksburg Railroad Company, provision as to. Section 22.
Officers, election of. Section 2.
Obligations of purchased roads shall be assumed, except debts greater in amount than the cash value of assets received. Section 6.
Patents shall be issued on completion of each 20 miles of road. Section 12 and 18.
Preëmption of lands. Section 12.
Private lands, right of way shall be secured in accordance with law. Section 10.
Purchased roads, rights, franchises, etc., to vest in Texas Pacific Railroad Company, obligations to be assumed, except debts greater in amount than the cash value of assets received. Section 6.
Rates shall not exceed prices fixed by Congress on Union Pacific and Central Pacific. Section 15.
Rates (Government) shall be fair and reasonable. Section 19.
Rails, American ore shall be used in manufacture of. Section 16.
Railroad declared a "military post road." Section 19.
Reports (*see* "Annual reports").
Right of way, 200 feet in width on each side of road. Section 8.
Right of way through lands of private persons, how secured. Section 10.
Right of way by companies crossing road. Section 21.
Rights, franchises, etc., of purchasing roads, to vest in Texas Pacific Railroad Company. Section 6.
Road, line of. Section 1.
Road, crossed by other companies; lands and right of way. Section 21.
Roads purchased, rights, franchises, etc., to vest in Texas Pacific Railroad Company. Section 6.
Route to be designated within two years. Section 12.
Rules, authority to make and enforce. Section 7.
Stations, buildings, etc.; land granted, not exceeding 40 acres at any one point. Section 8.
San Diego Bay; "ship's channel" not to be construed as conveying special right to water front. Section 9.
Settlement of lands granted and not sold or disposed of within three years, authority for. Section 9.
"Ship's channel;" not to be construed as conveying special right to water front in San Diego Bay. Section 9.
Stock (*see* "Capital stock").
Stockholders; to organize company; annual meetings. Section 2.
Southern Pacific Railroad Company of California may construct a road to connect the Texas Pacific Railroad with San Francisco. Section 23.
Subscriptions to capital stock; opening of books. Section 2.
Transportation (United States); not to be impeded. Section 19.

TEXAS AND PACIFIC RAILWAY COMPANY.

Act of May 2, 1872.

American ore to be used in manufacture of iron and steel rails; with a proviso. Section 4.
Bonds (construction), issue of; limitation. Section 2.
Bonds (land), how secured; limitation. Section 2.
Bonds, proceeds of; how only to be applied. Section 3.

Act of March 3, 1873.

Bonds issued by company; may be payable in gold or other lawful money. Section 1.

Act of June 22, 1874.

Bonds (construction); may be secured by new mortgages; limit of. Section 1.

Act of May 2, 1872.

Capital stock, proceeds of; how only to be applied. Section 3.
Completion of road, time of; Congress may insure. Section 5.
Construction bonds (*see* "Bonds").

Act of June 22, 1874.

Consolidated roads; shall be deemed and taken as part of Texas and Pacific Railway. Section 1.

Act of May 2, 1872.

Equipment, standard of; same as required of existing Pacific Railways. Section 3.
Franchises, heretofore conferred upon "Texas Pacific Railroad Company;" Texas and Pacific Railway Company shall have, possess, and enjoy. Section 1.
Granted lands (*see* "Land grant").
Gauge shall be uniform. Section 5.
Land bonds (*see* "Bonds").
Land grant; may be included in mortgage to secure construction bonds; not revived, enlarged, extended, or created by this act. Section 2.
Liens (prior); not affected. Section 3.
Line of road. Section 5.

Act of June 22, 1874.

Lands (public), no further rights granted. Section 1.

Act of May 2, 1872.

Mortgages, amount of land bonds shall not exceed $2.50 per acre. Section 2.
Mortgages, to be filed and recorded in Department of Interior, shall not impair or affect prior lien. Section 3.

Act of March 3, 1873.

Mortgages (former) legalized, if other requirements of law have been complied with. Section 1.

Act of June 22, 1874.

Mortgages (new) may be issued to secure construction bonds. Section 1.
Mortgages, on record with Secretary of Interior, may be canceled and mortgages authorized by this act substituted; limit of. Section 1.
Mortgages, shall embrace roads and property of Southern Pacific Railroad Company and of the Southern Transcontinental Railway Company east of Fort Worth. Section 1.

Act of May 2, 1872.

Name of road, changed from "Texas Pacific Railroad Company" to Texas and Pacific Railway Company. Section 1.
Rails, American ore to be used in manufacture of, with a proviso. Section 4.
Rights, privileges, and franchises heretofore conferred upon "Texas Pacific Railroad Company," Texas and Pacific Railway Company shall have, possess, and enjoy. Section 1.
Road, standard of, same as required of existing Pacific railways. Section 3.
Road, from San Diego eastward, provision as to. Section 5.
Road, between Marshall and Shreveport, how to be controlled and operated. Section 5.

Act of June 22, 1874.

Rights to public lands, none further granted. Section 1.

Act of May 2, 1872.

Stock (*see* "Capital stock").
Standard of road and equipment, same as required of existing Pacific railways Section 3.

UNION PACIFIC RAILROAD COMPANY, EASTERN DIVISION (formerly "Leavenworth, Pawnee and Western" Railroad Company).

Amendment of July 2, 1864.

Bonds (subsidy), shall not be issued to. Section 12.
Line of road. Section 12.

Act of March 3, 1869.

Authorized to contract with Denver Pacific Railway and Telegraph Company for construction of road between Denver and Cheyenne, forming a continuous line from Kansas City to Cheyenne. (*See* Denver Pacific Railway and Telegraph Company.)

Joint resolution of March 3, 1869.

Authorized to change its name to the Kansas Pacific Railway Company.

UNION PACIFIC RAILROAD COMPANY. UNION PACIFIC RAILWAY COMPANY.

See Pacific Railroad acts.

WESTERN PACIFIC RAILROAD COMPANY.

See Pacific Railroad acts.

APPENDIX A 2.

LAWS OF THE UNITED STATES AFFECTING PACIFIC RAILROADS.

ACT OF JULY 1, 1862.

12 Stat. 489.

AN ACT to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the Government the use of the same for postal, military, and other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Walter S. Burgess, William P. Blodgett, Benjamin H. Cheever, Charles Fosdick Fletcher, of Rhode Island; * * * together with five commissioners to be appointed by the Secretary of the Interior, and all persons who shall or may be associated with them, and their successors, are hereby created and erected into a body corporate and politic in deed and in law, by the name, style, and title of "The Union Pacific Railroad Company;" and by that name shall have perpetual succession, and shall be able to sue and to be sued, plead and be impleaded, defend and be defended, in all courts of law and equity within the United States, and may make and have a common seal; and the said corporation is hereby authorized and empowered to lay out, locate, construct, furnish, maintain, and enjoy a continuous railroad and telegraph, with the appurtenances, from a point on the one hundredth meridian of longitude west from Greenwich, between the south margin of the Valley of the Republican River and the north margin of the Valley of the Platte River, in the Territory of Nebraska, to the western boundary of Nevada Territory, upon the route and terms herinafter provided, and is hereby vested with all the powers, privileges, and immunities necessary to carry into effect the purposes of this act as herein set forth. The capital stock of said company shall consist of one hundred thousand shares of one thousand dollars each, which shall be subscribed for and held in not more than two hundred shares by any one person, and shall be transferable in such manner as the by-laws of said corporation shall provide. The persons hereinbefore named, together with those to be appointed by the Secretary of the Interior, are hereby constituted and appointed commissioners, and such body shall be called the Board of Commissioners of the Union Pacific Railroad and Telegraph Company, and twenty-five shall constitute a quorum for the transaction of business. The first meeting of said Board shall be held at Chicago at such time as the commissioners from Illinois herein named shall appoint, not more than three nor less than one month after the passage of this act, notice of which shall be given by them to the other commissioners by depositing a call thereof in the post-office at Chicago, post-paid, to their address at least forty days before said meeting, and also by publishing said notice in one daily newspaper in each of the cities of Chicago and Saint Louis. Said Board shall organize by the choice from its number of a president, secretary, and treasurer, and they shall require from said treasurer such bonds as may be deemed proper, and may from time to time increase the amount thereof as they may deem proper. It shall be the duty of said Board of Commissioners to open books, or cause books to be opened, at such times and in such principal cities in the United States as they or a quorum of them shall determine, to receive subscriptions to the capital stock of said corporation, and a cash payment of ten per centum on all subscriptions, and to receipt therefor. So soon as two thousand shares shall be in good faith subscribed for, and ten dollars per share actually paid into the treasury of the company, the said president and secretary of said Board of Commissioners shall appoint a time and place for the first meeting of the subscribers to the stock of said company, and shall give notice thereof in at least one newspaper in each State in which subscription books have been opened at least thirty days previous to the day of

Name and title.

Location, &c.

Amt. and number of shares of stock changed from $1,000 to $100. Sec. 1, act 1864.

Comm'rs, how appointed and to hold meeting.

Treasurer to give bond, &c.

Books to be kept open. See sec. 2, 1864.

Comm'rs to call meeting of stockholders.

meeting, and such subscribers as shall attend the meeting so called, either in person or by proxy, shall then and there elect by ballot not less than thirteen directers for said corporation; and in such election each share of said capital shall entitle the owner thereof to one vote. The president and secretary of the Board of Commissioners shall act as inspectors of said election, and shall certify under their hands the names of the directors elected at said meeting; and the said commissioner, treasurer, and secretary shall then deliver over to said directors all the properties, subscription books, and other books in their possession, and thereupon the duties of said commissioners and the officers previously appointed by them shall cease and determine forever, and thereafter the stockholders shall constitute said body politic and corporate. At the time of the first and each triennial election of directors by the stockholders two additional directors shall be appointed by the President of the United States, who shall act with the body of directors, and to be denominated directors on the part of the Government; any vacancy happening in the Government directors at any time may be filled by the President of the United States. The directors to be appointed by the President shall not be stockholders in the Union Pacific Railroad Company. The directors so chosen shall, as soon as may be after their election, elect from their own number a president and vice-president, and shall also elect a treasurer and secretary. No person shall be a director in said company unless he shall be a bona fide owner of at least five shares of stock in the said company, except the two directors to be appointed by the President as aforesaid. Said company, at any regular meeting of the stockholders called for that purpose shall have power to make by-laws, rules, and regulations as they shall deem needful and proper, touching the disposition of the stock, property, estate, and effects of the company, not inconsistent herewith, the transfer of shares, the term of office, duties and conduct of their officers and servants, and all matters whatsoever which may appertain to the concerns of said company; and the said board of directors shall have power to appoint such engineers, agents, and subordinates as may from time to time be necessary to carry into effect the objects of this act, and to do all acts and things touching the location and construction of said road and telegraph. Said directors may require payments of subscription to the capital stock, after due notice, at such times and in such proportions as they shall deem necessary to complete the railroad and telegraph within the time in this act prescribed. Said president, vice-president, and directors shall hold their office for three years, and until their successors are duly elected and qualified, or for such less time as the by-laws of the corporation may prescribe; and a majority of said directors shall constitute a quorum for the transaction of business. The secretary and treasurer shall give such bonds, with such security, as the said board shall from time to time require, and shall hold their office at the will and pleasure of the directors. Annual meetings of the stockholders of the said corporation, for the choice of officers (when they are to be chosen) and for the transaction of annual business, shall be holden at such time and place and upon such notice as may be prescribed in the by-laws.

To elect directors. See sec. 13, act of 1864

Books and property to be delivered to directors.

Two directors to be appointed by the President of the U. S.

Altered to five. Sec. 13, act of 1864.

Directors shall each be owners of five shares of stock changed to fifty. Sec. 1, 1864.

Company make by-laws.

Directors to appoint agents, &c.

Directors to require payment of subscriptions. Sec. 2, act of 1864.

Officers to hold for three years altered by sec. 13, 1864.

SEC. 2. *And be it further enacted*, That the right of way through the public lands be, and the same is hereby, granted to said company for the construction of said railroad and telegraph line; and the right, power, and authority is hereby given to said company to take from the public lands adjacent to the line of said road, earth, stone, timber, and other materials for the construction thereof; said right of way is granted to said railroad to the extent of two hundred feet in width on each side of said railroad where it may pass over the public lands, including all necessary grounds for stations, buildings, workshops, and depots, machine shops, switches, side tracks, turntables, and water stations. The United States shall extinguish as rapidly as may be the Indian titles to all lands falling under the operation of this act and required for the said right of way and grants hereinafter made.

Right of way granted.

See sec. 3, 1864.

U. S. to extinguish Indian titles. Sec. 18, 1864.

SEC. 3. *And be it further enacted*, That there be, and is hereby, granted to the said company, for the purpose of aiding in the construction of said railroad and telegraph line, and to secure the safe and speedy transportation of the mails, troops, munitions of war, and public stores thereon, every alternate section of public land, designated by odd numbers, to the amount of *five* alternate sections per mile on each side of said railroad, on the line thereof, and within the limits of *ten* miles on each side of said road, not sold, reserved, or otherwise disposed of

Land grants—alternate sections.

Changed to TEN by sec. 4, 1864.

Changed to TWENTY. Sec. 4, 1864.

by the United States, and to which a preëmption or homestead claim may not have been attached, at the time the line of said road is definitely fixed: *Provided*, That all *mineral lands* shall be excepted from the operation of this act; but where the same shall contain timber, the timber thereon is hereby granted to said company. And all such lands so granted by this section, which shall not be sold or disposed of by said company within three years after the entire road shall have been completed, shall be subject to settlement and preëmption, like other lands, at a price not exceeding one dollar and twenty-five cents per acre, to be paid to said company.

Minerals and timber. Sec. 4, 1864.

On completion of forty miles changed to TWENTY by sec. 6, 1864. U. S. commissioners to examine.

SEC. 4. *And be it further enacted*, That whenever said company shall have completed forty consecutive miles of any portion of said railroad and telegraph line, ready for the service contemplated by this act, and supplied with all necessary drains, culverts, viaducts, crossings, sidings, bridges, turnouts, watering places, depots, equipment furniture, and all other appurtenances of a first-class railroad, the rails and all the other iron used in the construction and equipment of said road to be American manufacture of the best quality, the President of the United States shall appoint three commissioners to examine the same and report to him in relation thereto; and if it shall appear to him that forty consecutive miles of said railroad and telegraph line have been completed and equipped in all respects as required by this act, then, upon certificate of said commissioners to that effect, patents shall issue conveying the right and title to said lands to said company, on each side of the road as far as the same is completed, to the amount aforesaid; and patents shall in like manner issue as each forty miles of said railroad and telegraph line are completed, upon certificate of said commissioners. Any vacancies occurring in said board of commissioners by death, resignation, or otherwise, shall be filled by the President of the United States: *Provided, however*, That no such commissioners shall be appointed by the President of the United States unless there shall be presented to him a statement, verified on oath by the president of said company, that such forty miles have been completed, in the manner required by this act, and setting forth with certainty the points where such forty miles begin and where the same end; which oath shall be taken before a judge of a court of record.

Patents of land to issue on completion of 40 miles changed to to 20. Sec. 6, 1864.

Vacancies in comm'rs. See sec. 6, act of 1864.

Government bonds. See secs. 8 and 10, act 1864. Now 20 miles. Sec. 10, 1864.

SEC. 5. *And be it further enacted*, That for the purpose herein mentioned the Secretary of the Treasury shall, upon the certificate in writing of said commissioners of the completion and equipment of forty consecutive miles of said railroad and telegraph in accordance with the provisions of this act, issue to said company bonds of the United States of one thousand dollars each, payable in thirty years after date, bearing six per centum per annum interest (said interest payable semi-annually), which interest may be paid in United States treasury notes or any other money or currency which the United States have or shall declare lawful money and a legal tender, to the amount of sixteen of said bonds per mile for such section of forty miles; and to secure the repayment to the United States, as hereinafter provided, of the amount of said bonds so issued and delivered to said company, together with all interest thereon which shall have been paid by the United States, the issue of said bonds and delivery to the company shall *ipso facto* constitute a first mortgage on the whole line of the railroad and telegraph, together with the rolling stock, fixtures and property of every kind and description, and in consideration of which said bonds may be issued; and on the refusal or failure of said company to redeem said bonds, or any part of them, when required so to do by the Secretary of the Treasury, in accordance with the provisions of this act, the said road, with all the rights, functions, immunities, and appurtenances thereunto belonging, and also all lands granted to the said company by the United States, which, at the time of said default, shall remain in the ownership of the said company, may be taken possession of by the Secretary of the Treasury, for the use and benefit of the United States: *Provided*, This section shall not apply to that part of any road now constructed.

See sec. 11 of this act, for 32,000 and $48,000 per mile.

Lien of U. S. bonds made subordinate. See sec. 10, act of 1864.

See sec. 10, act 1864.

Modified. See sec. 5, act of 1864. Bonds, when and how paid.

SEC. 6. *And be it further enacted*, That the grants aforesaid are made upon condition that said company shall pay said bonds at maturity, and shall keep said railroad and telegraph line in repair and use, and shall at all times transmit dispatches over said telegraph line, and transport mails, troops, and munitions of war, supplies, and public stores upon said railroad for the Government, whenever required to do

so by any department thereof, and that the Government shall at all times have the preference in the use of the same for all the purposes aforesaid, (at fair and reasonable rates of compensation, not to exceed the amounts paid by private parties for the same kind of service;) and all compensation for services rendered for the Government shall be applied to the payment of said bonds and interest until the whole amount is fully paid. Said company may also pay the United States, wholly or in part, in the same or other bonds, treasury notes, or other evidences of debt against the United States, to be allowed at par; and after said road is completed, until said bonds and interest are paid, at least five per centum of the net earnings of said road shall also be annually applied to the payment hereof.

Fair and reasonable rates of compensation.

Government transportation—half to be paid in cash. See sec. 5, act of 1864.

Five per cent. net earnings.

SEC. 7. *And be it further enacted*, That said company shall file their assent to this act, under the seal of said company, in the Department of the Interior, within one year after the passage of this act, and shall complete said railroad and telegraph from the point of beginning as herein provided, to the western boundary of Nevada territory before the first day of July, one thousand eight hundred and seventy-four: *Provided*, That within two years after the passage of this act said company shall designate the general route of said road, as near as may be, and shall file a map of the same in the Department of the Interior, whereupon the Secretary of the Interior shall cause the lands within fifteen miles of said designated route or routes to be withdrawn from pre-emption, private entry, and sale; and when any portion of said route shall be finally located, the Secretary of the Interior shall cause the said lands hereinbefore granted to be surveyed and set off as fast as may be necessary for the purposes herein named: *Provided*, That in fixing the point of connection of the main trunk with the eastern connections, it shall be fixed at the most practicable point for the construction of the Iowa and Missouri branches, as hereinafter provided.

Assent of company to be filed, &c.

Time of completion extended. See sec. 5, 1864.

See sec. 4, act 1864. Map, &c., designating route to be filed, &c.

Lands designated, &c.

SEC. 8. *And be it further enacted*, That the line of said railroad and telegraph shall commence at a point on the one hundredth meridian of longitude west from Greenwich, between the south margin of the valley of the Republican River and the north margin of the valley of the Platte River, in the territory of Nebraska, at a point to be fixed by the President of the United States, after actual surveys; thence running westerly upon the most direct, central, and practicable route, through the territories of the United States, to the western boundary of the territory of Nevada, there to meet and connect with the line of the Central Pacific Railroad Company of California.

From 100th meridian to Nevada.

See sec. 10 of this act.

SEC. 9. *And be it further enacted*, That the Leavenworth, Pawnee and Western Railroad Company of Kansas are hereby authorized to construct a railroad and telegraph line, from the Missouri River, at the mouth of the Kansas River, on the south side thereof, so as to connect with the Pacific Railroad of Missouri, the aforesaid point, on the one hundredth meridian of longitude west from Greenwich, as herein provided, upon the same terms and conditions in all respects as are provided in this act for the construction of the railroad and telegraph line first mentioned, and to meet and connect with the same at the meridian of longitude aforesaid; and in case the general route or line of road from the Missouri River to the Rocky Mountains should be so located as to require a departure northwardly from the proposed line of said Kansas Railroad before it reaches the meridian of longitude aforesaid, the location of said Kansas road shall be made so as to conform thereto; and said railroad through Kansas shall be so located between the mouth of the Kansas River, as aforesaid, and the aforesaid point, on the one hundredth meridian of longitude, that the several railroads from Missouri and Iowa, herein authorized to connect with the same, can make connection within the limits prescribed in this act, provided the same can be done without deviating from the general direction of the whole line to the Pacific coast. The route in Kansas, west of the meridian of Fort Riley, to the aforesaid point, on the one hundredth meridian of longitude, to be subject to the approval of the President of the United States, and to be determined by him on actual survey. And said Kansas company may proceed to build said railroad to the aforesaid point, on the one hundredth meridian of longitude west from Greenwich, in the territory of Nebraska. The Central Pacific Railroad Company of California, a corporation existing under the laws of the State of California, are hereby authorized to construct a railroad and telegraph line from the Pacific coast, at or near San Francisco, or the navigable waters of the Sacramento River to the eastern boundary of California, upon

Kansas Co. to construct road, &c.

Central Pacific R. R. Co., of California, authorized to construct road on same terms and conditions.

the same terms and conditions, in all respects, as are contained in this act for the construction of said railroad and telegraph line first mentioned, and to meet and connect with the first-mentioned railroad and telegraph line on the eastern boundary of California. Each of said companies shall file their acceptance of the conditions of this act in the Department of the Interior within six months after the passage of this act.

Time of doing work, etc.

SEC. 10. *And be it further enacted*, That the said company chartered by the State of Kansas shall complete one hundred miles of their said road, commencing at the mouth of the Kansas River aforesaid, within two years after filing their assent to the conditions of this act, as herein provided, and one hundred miles per year thereafter until the whole is completed; and the said Central Pacific Railroad Company of California shall complete fifty miles of their said road within two years after filing their assent to the provisions of this act, as herein provided, and fifty miles per year thereafter until the whole is completed; and after completing their roads respectively, said companies, or either of them, may unite upon equal terms with the first-named company in constructing so much of said railroad and telegraph line and branch railroads and telegraph lines in this act hereinafter mentioned, through the territories from the State of California to the Missouri River, as shall then remain to be constructed, on the same terms and conditions as provided in this act in relation to the said Union Pacific Railroad Company. And the Hannibal and Saint Joseph Railroad, the Pacific Railroad Company of Missouri, and the first-named company, or either of them, on filing their assent to this act, as aforesaid, may unite upon equal terms, under this act, with the said Kansas company, in constructing said railroad and telegraph, to said meridian of longitude, with the consent of the said State of Kansas; and in case said first-named company shall complete their line to the eastern boundary of California before it is completed across said State by the Central Pacific Railroad Company of California, said first-named company is hereby authorized to continue in constructing the same through California, with the consent of said State, upon the terms mentioned in this act, until said roads shall meet and connect, and the whole line of said railroad and telegraph is completed; and the Central Pacific Railroad Company of California, after completing its road across said State, is authorized to continue the construction of said railroad and telegraph through the Territories of the United States* to the Missouri River, including the branch roads specified in this act, upon the routes hereinbefore and hereinafter indicated, on the terms and conditions provided in this act in relation to the said Union Pacific Railway Company, until said roads shall meet and connect, and the whole line of said railroad and branches and telegraph is completed.

Changed to 25 miles. See sec. 5, act 1864.

Companies may unite in building on equal terms. Sec. 16, 1864, also sec. 16 of this act.

Central Pacific R. R. Co. may continue, &c., to meet other road.

Authority confirmed. See sec. 16, act of 1864, last clause. Also sec. 2, 1866.

Subsidy bonds treble over the Rocky and Sierra Nevada Mountains.

SEC. 11. *And be it further enacted*, That for three hundred miles of said road most mountainous and difficult of construction, to wit: one hundred and fifty miles westwardly from the eastern base of the Rocky Mountains, and one hundred and fifty miles eastwardly from the western base of the Sierra Nevada Mountains, said points to be fixed by the President of the United States, the bonds to be issued to aid in the construction thereof shall be treble the number per mile hereinbefore provided, and the same shall be issued, and the lands herein granted be set apart, upon the construction of every twenty miles thereof, upon the certificate of the commissioners as aforesaid that twenty consecutive miles of the same are completed; and between the sections last named of one hundred and fifty miles each, the bonds to be issued to aid in the construction thereof shall be double the number per mile first mentioned, and the same shall be issued, and the lands herein granted be set apart, upon the construction of every twenty miles thereof, upon the certificate of the commissioners as aforesaid that twenty consecutive miles of the same are completed: *Provided*, That no more than fifty thousand of said bonds shall be issued under this act to aid in constructing the main line of said railroad and telegraph.

Modified. Sec. 8, 1864.

Subsidy bonds double between the mountains.

Location at State lines and 109 meridian.

SEC. 12. *And be it further enacted*, That whenever the route of said railroad shall cross the boundary of any State or Territory, or said meridian of longitude, the two companies meeting or uniting there shall agree upon its location at that point, with reference to the most direct and practicable through route, and in case of difference between

* See section 6, act of July 2, 1864. The words "and States intervening" inserted.

them as to said location the President of the United States shall determine the said location; the companies named in each State and Territory to locate the road across the same between the points so agreed upon, except as herein provided. The track upon the entire line of railroad and branches shall be of uniform width, to be determined by the President of the United States, so that, when completed, cars can be run from the Missouri River to the Pacific Coast; the grades and curves shall not exceed the maximum grades and curves of the Baltimore and Ohio Railroad; the whole line of said railroad and branches and telegraph shall be operated and used for all purposes of communication, travel, and transportation, so far as the public and Government are concerned, as one connected, continuous line; and the companies herein named in Missouri, Kansas, and California, filing their assent to the provisions of this act, shall receive and transport all iron rails, chairs, spikes, ties, timber, and all materials required for constructing and furnishing said first-mentioned line between the aforesaid point, on the one hundredth meridian of longitude and western boundary of Nevada territory, whenever the same is required by said first-named company, at cost, over that portion of the roads of said companies constructed under the provisions of this act.

Track to be of uniform width, &c.

To be used as continuous line, &c.

SEC. 13. *And be it further enacted,* That the Hannibal and Saint Joseph Railroad Company of Missouri may extend its roads from Saint Joseph via Atchison, to connect and unite with the road through Kansas, upon filing its assent to the provisions of this act, upon the same terms and conditions, in all respects, for one hundred miles in length next to the Missouri River, as are provided in this act for the construction of the railroad and telegraph line first mentioned, and may for this purpose use any railroad charter which has been or may be granted by the legislature of Kansas: *Provided,* That if actual survey shall render it desirable, the said company may construct their road, with the consent of the Kansas legislature, on the most direct and practicable route west from Saint Joseph, Missouri, so as to connect and unite with the road leading from the western boundary of Iowa at any point east of the one hundredth meridian of west longitude, or with the main trunk road at said point; but in no event shall lands or bonds be given to said company, as herein directed, to aid in the construction of their said road for a greater distance than one hundred miles. And the Leavenworth, Pawnee, and Western Railroad Company of Kansas may construct their road from Leavenworth to unite with the road through Kansas.

H. & St. J. road may be extended, etc.

SEC. 14. *And be it further enacted,* That the said Union Pacific Railroad Company is hereby authorized and required to construct a single line of railroad and telegraph from a point on the western boundary of the State of Iowa, to be fixed by the President of the United States, upon the most direct and practicable route, to be subject to his approval, so as to form a connection with the line of said company at some point on the one hundredth meridian of longitude aforesaid, from the point of commencement on the western boundary of the State of Iowa, upon the same terms and conditions, in all respects, as are contained in this act for the construction of the said railroad and telegraph first mentioned; and the said Union Pacific Railroad Company shall complete one hundred miles of the road and telegraph in this section provided for, in two years after filing their assent to the conditions of this act, as by the terms of this act required, and at the rate of one hundred miles per year thereafter, until the whole is completed: *Provided,* That a failure upon the part of said company to make said connection in the time aforesaid, and to perform the obligations imposed on said company by this section and to operate said road in the same manner as the main line shall be operated, shall forfeit to the Government of the United States all the rights, privileges, and franchises granted to and conferred upon said company by this act. And whenever there shall be a line of railroad completed through Minnesota or Iowa to Sioux City, then the said Pacific Railroad Company is hereby authorized and required to construct a railroad and telegraph from said Sioux City upon the most direct and practicable route to a point on, and so as to connect with, the branch railroad and telegraph in this section hereinbefore mentioned, or with the said Union Pacific Railroad, said point of junction to be fixed by the President of the United States, not further west than the one hundredth meridian of longitude aforesaid, and on the same terms and conditions

Iowa road from western boundary of Iowa.

U. P. R. R. Co. required to construct Sioux City road. Sec. 17, act of 1864.

as provided in this act for the construction of the Union Pacific Railroad as aforesaid, and to complete the same at the rate of one hundred miles per year; and should said company fail to comply with the requirements of this act in relation to the said Sioux City railroad and telegraph, the said company shall suffer the same forfeitures prescribed in relation to the Iowa branch railroad and telegraph hereinbefore mentioned.

Other companies may connect, &c.

SEC. 15. *And be it further enacted*, That any other railroad company now incorporated, or hereafter to be incorporated, shall have the right to connect their road with the road and branches provided for by this act, at such places and upon such just and equitable terms as the President of the United States may prescribe. Wherever the word company is used in this act it shall be construed to embrace the words their associates, successors, and assigns, the same as if the words had been properly added thereto.

Word company explained.

Companies authorized to consolidate. See sec. 16, act of 1864. Also sec. 10 of this act.

SEC. 16. *And be it further enacted*, That at any time after the passage of this act all of the railroad companies named herein, and assenting hereto, or any two or more of them, are authorized to form themselves into one consolidated company; notice of such consolidation, in writing, shall be filed in the Department of the Interior, and such consolidated company shall thereafter proceed to construct said railroad and branches and telegraph line upon the terms and conditions provided in this act.

Congress may compel speedy completion of road.

SEC. 17. *And be it further enacted*, That in case said company or companies shall fail to comply with the terms and conditions of this act, by not completing said road and telegraph and branches within a reasonable time, or by not keeping the same in repair and use, but shall permit the same, for an unreasonable time, to remain unfinished, or out of repair and unfit for use, Congress may pass any act to insure the speedy completion of said road and branches, or put the same in repair and use, and may direct the income of said railroad and telegraph line to be thereafter devoted to the use of the United States, to repay all such expenditures caused by the default and neglect of such company or companies: *Provided*, That if said roads are not completed, so as to form a continuous line of railroad, ready for use, from the Missouri River to the navigable waters of the Sacramento River, in California, by the first day of July, eighteen hundred and seventy-six, the whole of all of said railroads before mentioned and to be constructed under the provisions of this act, together with all their furniture, fixtures, rolling stock, machine shops, lands, tenements, and hereditaments, and property of every kind and character, shall be forfeited to and be taken possession of by the United States: *Provided*, That of the bonds of the United States in this act provided to be delivered for any and all parts of the roads to be constructed east of the one hundredth meridian of west longitude from Greenwich, and for any part of the road west of the west foot of the Sierra Nevada Mountain [s], there shall be reserved of each part and instalment, twenty-five per centum, to be and remain in the United States Treasury, undelivered, until said road and all parts thereof provided for in this act are entirely completed; and of all the bonds provided to be delivered for the said road, between the two points aforesaid, there shall be reserved out of each instalment fifteen per centum, to be and remain in the Treasury until the whole of the road provided for in this act is fully completed; and if the said road or any part thereof shall fail of completion at the time limited therefor in this act, then and in that case the said part of said bonds so reserved shall be forfeited to the United States.

Main lines to be finished in 1876. See sec. 5 and 7, act of 1864.

Repealed. See sec. 7, act of 1864.

SEC. 18. *And be it further enacted*, That whenever it appears that the net earning of the entire road and telegraph, including the amount allowed for services rendered for the United States, after deducting all expenditures, including repairs, and the furnishing, running, and managing of said road, shall exceed ten per centum upon its cost, exclusive of the five per centum to be paid to the United States, Congress may reduce the rates of fare thereon, if unreasonable in amount, and may fix and establish the same by law. And the better to accomplish the object of this act, namely, to promote the public interest and welfare by the construction of said railroad and telegraph line, and keeping the same in working order, and to secure to the Government at all times (but particularly in time of war) the use and benefits of the same for postal, military, and other purposes, Congress, may at any time, having due regard for the rights of said companies named herein, add to, alter, amend, or repeal this act.

Under certain circumstances Congress may reduce rates of fare.

SEC. 19. *And be it further enacted*, That the several railroad companies herein named are authorized to enter into an arrangement with the Pacific Telegraph Company, the Overland Telegraph Company, and the California State Telegraph Company, so that the present line of telegraph between the Missouri River and San Francisco may be moved upon or along the line of said railroad and branches as fast as said roads and branches are built; and if said arrangement be entered into, and the transfer of said telegraph line be made in accordance therewith to the line of said railroad and branches, such transfer shall, for all purpose of this act, be held and considered a fulfilment on the part of said railroad companies of the provisions of this act in regard to the construction of said lines of telegraph. And, in case of disagreement, said telegraph companies are authorized to remove their line of telegraph along and upon the line of railroad herein contemplated without prejudice to the rights of said railroad companies named herein.

May larrange with telegraph companies now existing.

See sec. 15, act of 1864.

SEC. 20. *And be it further enacted*, That the corporation hereby created and the roads connected therewith, under the provisions of this act, shall make to the Secretary of the Treasury an annual report wherein shall be set forth—

Companies to make annual report.

This section repealed (20 Stat. 100).

First. The names of the stockholders and their places of residence, so far as the same can be ascertained;

Second. The names and residences of the directors, and all other officers of the company;

Third. The amount of stock subscribed, and the amount thereof actually paid in;

Fourth. A description of the lines of road surveyed, of the lines thereof fixed upon for the construction of the road, and the cost of such survey.

Fifth. The amount received from passengers on the road;

Sixth. The amount received for freight thereon;

Seventh. A statement of the expense of said road and its fixtures;

Eighth. A statement of the indebtedness of said company, setting forth the various kinds thereof. Which report shall be sworn to by the president of the said company, and shall be presented to the Secretary of the Treasury on or before the first day of July in each year.

ACT OF JULY 12, 1862.

AN ACT to amend an act entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the Government the use of the same for postal, military, and other purposes," approved July 1, 1862.

12 Stat., 538.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first meeting of the commissioners named in the act entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the Government the use of same for postal, military, and other purposes," approved July first, eighteen hundred and sixty-two, and of the five commissioners directed by said act to be appointed by the Secretary of the Interior, shall be held at Bryan Hall, in the city of Chicago, in the State of Illinois, on the first Tuesday in September next, at twelve o'clock, at noon. A notice of said meeting, to be signed by at least ten of the commissioners named in said act, shall be published at least once a week during the six successive weeks commencing on the twentieth of July, one thousand eight hundred and sixty-two, in one daily newspaper in each of the cities of Boston, New York, Philadelphia, Cincinnati, Chicago, and St. Louis, and no other notice of said meeting shall be requisite.

First meeting of commissioners on Pacific Railroad and Telegraph to be held at Chicago.

Notice.

AMENDMENT OF JULY 2, 1864.

13 Stat., 356.

AN ACT to amend an act entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the Government the use of the same for postal, military, and other purposes," approved July 1, 1862.

Shares of Union Pacific Railroad Company changed from $1,000 to $100.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the capital stock of the company entitled the Union Pacific Railroad Company, authorized by the act of which this act is amendatory, shall be in shares of one hundred dollars, instead of one thousand dollars, each; that the number of shares shall be one million, instead of one hundred thousand; and that the number of shares which any person shall hold to entitle him to serve as a director in said company (except the five directors to be appointed by the Government) shall be fifty shares instead of five shares; and that every subscriber to said capital stock for each share of one thousand dollars, heretofore subscribed, shall be entitled to a certificate for ten shares for one hundred dollars each; and that the following words in section first of said act, "which shall be subscribed for and held in not more than two hundred shares by any one person," be, and the same are hereby, repealed.

Ownership of stock by directors. See sec. 1, act 1862.

Books to be kept open in several cities. See sect. 1, 1862.

SEC. 2. *And be it further enacted*, That the Union Pacific Railroad Company shall cause books to be kept open to receive subscriptions to the capital stock of said company, (until the entire capital of one hundred millions of dollars shall be subscribed), at the general office of said company in the city of New York, and in each of the cities of Boston, Philadelphia, Baltimore, Chicago, Cincinnati, and Saint Louis, at such places as may be designated by the President of the United States, and in such other localities as may be directed by him. No subscription for said stock shall be deemed valid unless the subscriber therefor shall, at the time of subscribing, pay or remit to the treasury of the company an amount per share subscribed by him equal to the amount per share previously paid by the then existing stockholders. The said company shall make assessments upon its stockholders of not less than five dollars per share, and at intervals of not exceeding six months from and after the passage of this act, until the par value of all shares subscribed shall be fully paid; and money only shall be receivable for any such assessment, or as an equivalent for any portion of the capital stock hereinbefore authorized. The capital stock of said company shall not be increased beyond the actual cost of said road. And the stock of the company shall be deemed personal property, and shall be transferable on the books of the company, at the general office of said company in the city of New York, or at such other transfer office as the company may establish.

Per cent. to be paid.

Assessments of stockholders.

How paid.

Amount of capital.

Stock personal property.

Additional right of way granted. See sec. 2, 1862.

SEC. 3. *And be it further enacted*, That the Union Pacific Railroad Company, and all other companies provided for in this act and the act to which this is an amendment, be, and hereby are empowered to enter upon, purchase, take, and hold any lands or premises that may be necessary and proper for the construction and working of said road, not exceeding in width one hundred feet on each side of its center line, unless a greater width be required for the purpose of excavation or embankment; and also any lands or premises that may be necessary and proper for turnouts, standing places for cars, depots, station-house[s] or any other structures required in the construction and operating of said road. And each of said companies shall have the right to cut and remove trees or other materials that might by falling encumber its road-bed, though standing or being more than one hundred feet therefrom. And in case the owner or claimant of such lands or premises and such company can not agree as to the damages, the amount shall be determined by the appraisal of three disinterested commissioners, who may be appointed upon application by any party to any judge of a court of record in any of the territories in which the lands or premises to be taken lie; and said commissioners, in their assessments of damages, shall appraise such premises at what would have been the value thereof if the road had not been built; and upon return into court of such appraisement, and upon the payment to the clerk thereof of the amount so awarded by the commissioners for the use and benefit of the owner thereof, said premises shall be deemed to be taken by said company, which shall thereby acquire full title to the same for the purposes aforesaid. And either party feeling aggrieved by said assessment may,

Assessment of damages.

Payment and title.

Appeal

within thirty days, file an appeal therefrom, and demand a jury of twelve men to estimate the damage sustained; but such appeal shall not interfere with the rights of said company to enter upon the premises taken, or to do any act necessary in the construction of its road. And said party appealing shall give bonds with sufficient surety or sureties, for the payment of any costs that may arise upon such appeal. And in case the party appealing does not obtain a more favorable verdict, such party shall pay the whole cost incurred by the appellee, as well as its own. And the payment into court for the use of the owner or claimant, of a sum equal to that finally awarded shall be held to vest in said company the title of said land, and the right to use and occupy the same for the construction, maintaining, and operating of the road of said company. And in case any of the lands to be taken as aforesaid shall be held by any person residing without the territory, or subject to any legal disability, the court may appoint a proper person who shall give bonds with sufficient surety or sureties, for the faithful execution of his trust, and who may represent in court the person disqualified or absent as aforesaid, when the same proceedings shall be had in reference to the appraisement of the premises to be taken, and with the same effect as have been already described. And the title of the company to the land taken by virtue of this act shall not be affected nor impaired by reason of any failure by any guardian to discharge faithfully his trust. And in case it shall be necessary for either of the said companies to enter upon lands which are unoccupied, and of which there is no apparent owner or claimant, it may proceed to take and use the same for the purpose of its said railroad, and may institute proceedings in manner described for the purpose of ascertaining the value of, and acquiring a title to, the same, and the court may determine the kind of notice to be served on such owner or owners, and may in its discretion appoint an agent or guardian to represent such owner or owners in case of his or their incapacity or non-appearance. But in case no claimant shall appear within six years from the time of the opening of said road across any land, all claim to damages against said company shall be barred. It shall be competent for the legal guardian of any infant, or any other person under guardianship, to agree with the proper company as to damages sustained by reason of the taking of any lands of any such person under disability, as aforesaid, for the use as aforesaid; and upon such agreement being made, and approved by the court having supervision of the official acts of said guardian, the said guardian shall have full power to make and execute a conveyance thereof to the said company which shall vest the title thereto in the said company.

Bonds on appeal.

Costs of appeal.

Title after appeal.

Absentees and infants.

Unoccupied lands, how acquired.

Damages, how disposed of.

SEC. 4. *And be it further enacted*, That section three of said act be hereby amended by striking out the word "five," where the same occurs in said section, and by inserting in lieu thereof the word "ten;" and by striking out the word "ten," where the same occurs in said section, and by inserting in lieu thereof the word "twenty." And section seven of said act is hereby amended by striking out the word "fifteen," where the same occurs in said section, and inserting in lieu thereof the word "twenty-five." And the term "mineral land," wherever the same occurs in this act, and the act to which this is an amendment, shall not be construed to include coal and iron land. And any lands granted by this act, or the act to which this is an amendment, shall not defeat or impair any pre-emption, homestead, swamp land, or other lawful claim, nor include any government reservation or mineral land, or the improvements of any bona fide settler, or any lands returned and denominated as mineral lands, and the timber necessary to support his said improvement as a miner or agriculturist, to be ascertained under such rules as have been or may be established by the Commissioner of the General Land Office, in conformity with the provisions of the pre-emption laws: *Provided*, That the quantity thus exempted by the operation of this act, and the act to which this act is an amendment, shall not exceed one hundred and sixty acres for each settler who claims as an agriculturist, and such quantity for each settler who claims as a miner, as the said Commissioner may establish by general regulation: *Provided, also*, That the phrase, "but where the same shall contain timber, the timber thereon is hereby granted to said company," in the proviso to said section three, shall not apply to the timber growing or being on any land farther than ten miles from the center line of any one of said roads or branches mentioned in said

Sec. 3, 1862, amended, doubling grant of land.

Sec. 7, 1862, amended, withdrawing land from sale.

Coal and iron not minerals.

Certain lands not to be granted.

160 acres only exempted.

Timber to be company's. Sec. 3, 1862.

Other lands exempted.

act, or in this act. And all lands shall be excluded from the operation of this act, and of the act to which this act is an amendment, which were located, or selected to be located, under the provisions of an act entitled "An act donating lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," approved July second, eighteen hundred and sixty-two, and notice thereof given at the proper land office.

Time extended one year. Secs. 7 and 17, 1862, amended.

Twenty-five miles per year changed from 50. Sec. 10, 1862. Four years to State line.

Government to pay one-half for services.

SEC. 5. *And be it further enacted*, That the time for designating the general route of said railroad, and of filing the map of the same, and the time for the completion of that part of the railroads required by the terms of said act of each company, be, and the same is hereby, extended one year from the time in said act designated; and that the Central Pacific Railroad Company of California shall be required to complete twenty-five miles of their said road in each year thereafter, and the whole to the State line within four years, and that only one-half of the compensation for services rendered for the Government by said companies shall be required to be applied to the payment of the bonds issued by the Government in aid of the construction of said roads.

Sec. 4, 1862, modified, three commissioners, &c.

Affidavit, &c., of C. P. R. R. Co. to be filed in California.

SEC. 6. *And be it further enacted*, That the proviso to section four of said act is hereby modified as follows, viz: And the President of the United States is hereby authorized, at any time after the passage of this act, to appoint for each and every of said roads three commissioners, as provided for in the act to which this is amendatory; and the verified statement of the president of the California company, required by said section four, shall be filed in the office of the United States surveyor-general for the State of California, instead of being presented to the President of the United States; and the said surveyor-general shall thereupon notify the said commissioners of the filing of such statement, and the said commissioners shall thereupon proceed to examine the portion of said railroad and telegraph line so completed, and make their report thereon to the President of the United States, as provided by the act to which this is amendatory. And such statement may be filed, and such railroad and telegraph line be examined and reported on by the said commissioners, and the requisite amount of bonds may be issued and the lands appertaining thereto may be set apart, located, entered, and patented, as provided in this act and the act to which this is amendatory, upon the construction by said railroad company of California of any portion of not less than twenty consecutive miles of their said railroad and telegraph line, upon the certificates of said commissioners that such portion is completed as required by the act to which this is amendatory. And section ten of the act of which this is amendatory is hereby amended by inserting after the words "United States," in the last clause, the words "and States intervening."

Lands patented. See sec. 4, 1862. Also sec. 21, this act.

Sec. 10, 1862, amended.

Reservation of bonds by sec. 17, 1862, repealed.

Failure of one company not to affect others. Sec. 17, 1862, altered.

SEC. 7. *And be it further enacted*, That so much of section seventeen of said act as provides for a reservation by the government of a portion of the bonds to be issued to aid in the construction of the said railroads is hereby repealed. And the failure of any one company to comply fully with the conditions and requirements of this act, and the act to which this is amendatory, shall not work a forfeiture of the rights, privileges, or franchises of any other company or companies that shall have complied with the same.

Partial issue of bonds on uncompleted work.

Sec. 11, 1863, modified.

Two-thirds on graded portions. See sec. 6 of this act.

SEC. 8. *And be it further enacted*, That for the purpose of facilitating the work on said railroad, and of enabling the said company as early as practicable to commence the grading of said railroad in the region of the mountains, between the eastern base of the Rocky Mountains and the western base of the Sierra Nevada Mountains, so that the same may be finally completed within the time required by law, it is hereby provided that whenever the chief engineer of the said company, and said commissioners, shall certify that a certain proportion of the work required to prepare the road for the superstructure on any such section of twenty miles is done (which said certificate shall be duly verified), the Secretary of the Treasury is hereby authorized and required, upon the delivery of such certificate, to issue to said company a proportion of said bonds, not exceeding two-thirds of the amount of bonds authorized to be issued under the provisions of the act, to aid in the construction of such section of twenty miles, nor in any case exceeding two-thirds of the value of the work done, the remaining one-third to remain until the said section is fully completed and certified by the commissioners appointed by the President, accord-

ng to the terms and provisions of the said act; and no such bonds shall issue to the Union Pacific Railroad Company for work done west of Salt Lake City under this section, more than three hundred miles in advance of the completed continuous line of said railroad from the point of beginning on the one hundredth meridian of longitude.

U. P. R. R. Co. cannot receive for more than 300 miles in advance west of Salt Lake City.

SEC. 9. *And be it further enacted*, That to enable any one of said corporations to make convenient and necessary connections with other roads, it is hereby authorized to establish and maintain all necessary ferries upon and across the Missouri River and other rivers which its road may pass in its course; and authority is hereby given said corporation to construct bridges over said Missouri River and all other rivers for the convenience of said road: *Provided*, That any bridge or bridges it may construct over the Missouri River, or any other navigable river on the line of said road, shall be constructed with suitable and proper draws for the passage of steamboats, and shall be built, kept, and maintained, at the expense of said company, in such manner as not to impair the usefulness of said rivers for navigation to any greater extent than such structures of the most approved character necessarily do: *And provided, further*, That any company authorized by this act to construct its road and telegraph line from the Missouri River to the initial point aforesaid, may construct its road and telegraph line so as to connect with the Union Pacific Railroad at any point westwardly of such initial point, in case such company shall deem such westward connection more practicable or desirable; and in aid of the construction of so much of its road and telegraph line as shall be a departure from the route hereinbefore provided for its road, such company shall be entitled to all the benefits, and be subject to all the conditions and restrictions of this act: *Provided further, however*, That the bonds of the United States shall not be issued to such company for a greater amount than is hereinbefore provided, if the same had united with the Union Pacific Railroad on the 100th degree of longitude; nor shall such company be entitled to receive any greater amount of alternate sections of public lands than are also herein provided.

Ferries and bridges.

Roads may connect west of initial point.

No increased amount of bonds, &c.

SEC. 10. *And be it further enacted*, That section five of said act be so modified and amended that the Union Pacific Railroad Company, the Central Pacific Railroad Company, and any other company authorized to participate in the construction of said road, may, on the completion of each section of said road, as provided in this act and the act to which this act is an amendment, issue their first-mortgage bonds on their respective railroad and telegraph lines to an amount not exceeding the amount of the bonds of the United States, and of even tenor and date, time of maturity, rate and character of interest with the bonds authorized to be issued to said railroad companies respectively. And the lien of the United States bonds shall be subordinate to that of the bonds of any or either of said companies hereby authorized to be issued on their respective roads, property, and equipments, except as to the provisions of the sixth section of the act to which this act is an amendment, relating to the transmission of dispatches and the transportation of mails, troops, munitions of war, supplies, and public stores for the Government of the United States. And said section is further amended by striking out the word "forty," and inserting in lieu thereof the words "on each and every section of not less than twenty."

First-mortgage bonds may have lien prior to government.

Sec. 5, 1862, modified.

See sec. 1, act of 1865.

Lien of U. S. bonds to be subordinate, &c.

20 miles instead of 40 miles, as in sec. 5, act of 1862.

SEC. 11. *And be it further enacted*, That if any of the railroad companies entitled to bonds of the United States, or to issue their first-mortgage bonds herein provided for, has, at the time of the approval of this act, issued, or shall thereafter issue, any of its own bonds or securities in such form or manner as in law or equity to entitle the same to priority or preference of payment to the said guaranteed bonds, or said first-mortgage bonds, the amount of such corporate bonds outstanding and unsatisfied, or uncancelled, shall be deducted from the amount of such government and first-mortgage bonds which the company may be entitled to receive and issue; and such an amount only of such government bonds and such first-mortgage bonds shall be granted or permitted, as added to such outstanding, unsatisfied, or uncancelled bonds of the company shall make up the whole amount per mile to which the company would otherwise have been entitled: *And provided, further*, That before any bonds shall be so given by the United States, the company claiming them shall present to the Secretary of the Treasury an affidavit of the president and secretary of the company, to be sworn to before the judge of a court of record, setting forth whether said company has issued any such bonds or securities, and, if so, particularly describing the same, and such other evidence as the secretary may require, so as

Provision for bonds already issued by any companies.

Affidavit of amount of outstanding company bonds.

to enable him to make the deduction herein required; and such affidavit shall then be filed and deposited in the office of the Secretary of the Interior. And any person swearing falsely to any such affidavit, shall be deemed guilty of perjury, and, on conviction thereof, shall be punished as aforesaid: *Provided, also,* That no land granted by this act shall be conveyed to any party or parties, and no bonds shall be issued to any company or companies, party or parties, on account of any road or part thereof, made prior to the passage of the act to which this act is an amendment, or made subsequent thereto under the provisions of any act or acts other than this act, and the act amended by this act.

No land or bonds to go to any co. on road made prior to act of 1862.

Leavenworth and Lawrence roads, no bonds.

SEC. 12. *And be it further enacted,* That the Leavenworth, Pawnee and Western Railroad Company, now known as the Union Pacific Railroad Company, eastern division, shall build the railroad from the mouth of Kansas River, by the way of Leavenworth, or, if that be not deemed the best route, then the said company shall, within two years, build a railroad from the city of Leavenworth to unite with the main stem at or near the city of Lawrence; but to aid in the construction of said branch the said company shall not be entitled to any bonds. And if the Union Pacific Railroad Company shall not be proceeding in good faith to build the said railroad through the Territories when the Leavenworth, Pawnee, and Western Railroad Company, now known as the Union Pacific Railroad Company, eastern division, shall have completed their road to the hundredth degree of longitude, then the last named company may proceed to make said road westward until it meets and connects with the Central Pacific Railroad Company on the same line. And the said railroad from the mouth of Kansas River, to one hundredth meridian of longitude shall be made by the way of Lawrence and Topeka, or on the bank of the Kansas River, opposite said towns: *Provided,* That no bonds shall be issued or lands certified by the United States to any person or company for the construction of any part of the main trunk line of said railroad west of the one hundredth meridian of longitude and east of the Rocky Mountains, until said road shall be completed from or near Omaha, on the Missouri River, to the said one hundredth meridian of longitude.

If built to 100th meridian, may proceed in default of U. P. R. R.

By way of Lawrence and Topeka, or opposite to 100th meridian. West of that line no bonds shall be issued, &c.

Directors, 15; Government directors, 5. Sec. 1, 1862, modified.

SEC. 13. *And be it further enacted,* That at and after the next election of directors, the number of directors to be elected by the stockholders shall be fifteen; and the number of directors to be appointed by the President shall be five; and the President shall appoint three additional directors to serve until the next regular election, and thereafter five directors. At least one of said Government directors shall be placed on each of the standing committees of said company and at least one on every special committee that may be appointed. The Government directors shall, from time to time, report to the Secretary of the Interior, in answer to any inquiries he may make of them, touching the condition, management, and progress of the work, and shall communicate to the Secretary of the Interior, at any time, such information as should be in the possession of the Department. They shall, as often as may be necessary to a full knowledge of the condition and management of the line, visit all portions of the line of road, whether built or surveyed; and, while absent from his home, attending to their duties as directors, shall be paid their actual traveling expenses, and be allowed and paid such reasonable compensation for their time actually employed as the board of directors may decide.

One Government director on committees.

Government directors to report, &c.

To visit road &c.

Directors, when elected and where—(Sec. 1, 1862), for one year.

SEC. 14. *And be it further enacted,* That the next election for directors of said railroad shall be held on the first Wednesday of October next at the office of said company in the city of New York, between the hours of 10 o'clock a. m. and four o'clock p. m. of said day; and all subsequent regular elections shall be held annually thereafter at the same place; and the directors shall hold their office for one year, and until their successors qualified.

Road to be used as one continuous line. See sec. 12, act of 1862.

SEC. 15. *And be it further enacted,* That the several companies authorized to construct the aforesaid roads are hereby required to operate and use said roads and telegraph for all purposes of communication, travel and transportation, so far as the public and the Government are concerned, as one continuous line; and, in such operation and use, to afford and secure to each equal advantages and facilities as to rates, time, and transportation, without any discrimination of any kind in favor of the road or business of any or either of said companies, or adverse to the road or business of any or either of the others, and it shall not be lawful for the proprietors of any line of telegraph, authorized by this act, or the act amended by this act, to refuse or fail to

Must telegraph for all persons. See sec. 19, act of 1862.

envoy for all persons requiring the transmission of news and messages of like character, on pain of forfeiting to the person injured for each offense, the sum of one hundred dollars, and such other damage as he may have suffered on account of said refusal or failure, to be sued for and recovered in any court of the United States, or of any State or Territory of competent jurisdiction.

Companies may consolidate. See sec. 16, act of 1862; also sec. 10, 1862.

SEC. 16, *And be it further enacted*, That any two or more of the companies authorized to participate in the benefits of this act are hereby authorized at any time to unite and consolidate their organizations, as the same may or shall be, upon such terms and conditions, and in such manner as they may agree upon, and as shall not be incompatible with this act, or the laws of the State or States in which the road of such companies may be, and to assume and adopt such corporate name and style as they may agree upon, with a capital stock not to exceed the actual cost of the roads, so to be consolidated, and shall file a copy of such consolidation in the Department of the Interior; and thereupon such organization, so formed and consolidated, shall succeed to, possess, and be entitled to receive from the Government of the United States, all and singular the grants, benefits, immunities, guaranties, acts, and things to be done and performed and be subject to the same terms, conditions, restrictions, and requirements which said companies, respectively, at the time of such consolidation, are or may be entitled or subject to under this act, in place and substitution of said companies so consolidated respectively. And all other provisions of this act, so far as applicable, relating or in any manner appertaining to the companies so consolidated, or either thereof, shall apply and be of force as to such consolidated organization. And in case upon the completion by such consolidated organization of the roads, or either of them, of the companies so consolidated, any other of the road or roads of either of the other companies authorized as aforesaid (and forming, and intended or necessary to form, a portion of a continuous line from each of the several points on the Missouri River, hereinbefore designated, to the Pacific coast), shall not have constructed the number of miles of its said road within the time herein required, such consolidated organization is hereby authorized to continue the construction of its road and telegraph in the general direction and route upon which such incomplete or unconstructed road is hereinbefore authorized to be built, until such continuation of the road of such consolidated organization shall reach the constructed road and telegraph of said other company, and at such point to connect and unite therewith; and for and in aid thereof the said consolidated organization may do and perform, in reference to such portion of road and telegraph as shall so be in continuation of its constructed road and telegraph, and to the construction and equipment thereof, all and singular, the several acts and things hereinbefore provided, authorized, or granted to be done by the company hereinbefore authorized to construct and equip the same, and shall be entitled to similar and like grants, benefits, immunities, guarantees, acts, and things to be done and performed by the Government of the United States, by the President of the United States, by the Secretaries of the Treasury and Interior and by commissioners in reference to such company, and to such portion of the road hereinbefore authorized to be constructed by it, and upon the like and similar terms and conditions, so far as the same are applicable thereto. And said consolidated company shall pay to said defaulting company the value to be estimated by competent engineers of all the work done and material furnished by said defaulting company, which may be adopted and used by said consolidated company in the progress of the work under the provisions of this section: *Provided, nevertheless*, That said defaulting company may at any time before receiving pay for its said work and material, as hereinbefore provided, on its own election, pay said consolidated company the value of the work done and material furnished by said consolidated company, to be estimated by competent engineers, necessary for, and used in, the construction of the road of said defaulting company, and resume the control of its said road; and all the rights, benefits, and privileges which shall be acquired, possessed, or exercised, pursuant to this section, shall be to that extent an abatement of the rights, benefits, and privileges hereinbefore granted to such other company. And in case any company authorized thereto, shall not enter into such consolidated organization, such company, upon the completion of its road as hereinbefore provided, shall be entitled to and is hereby authorized to, continue and extend the same under the

Consolidated companies may build portion of the line left uncompleted by any company.

Powers and duties of consolidated organization.

circumstances, and in accordance with the provisions of this section and to have all the benefits thereof, as fully and completely as ar herein provided, touching such consolidated organization. And in cas more than one such consolidated organization shall be made, pursuan to this act, the terms and conditions of this act, hereinbefore recite as to one, shall apply in like manner, force, and effect to the other *Provided, however*, That rights and interests at any time acquired b one such consolidated organization, shall not be impaired by anothe thereof. It is further provided that should the Central Pacific Rail road Company of California complete their line to the eastern line o the State of California, before the line of the Union Pacific Railroa Company shall have been extended westward so as to meet the line o said first-named company, said first named company may extend thei line of road eastward one hundred and fifty miles, on the establishe route, so as to meet and connect with the line of the Union Pacifi Road, complying in all respects with the provisions and restrictions o this act as to said Union Pacific Road, and upon doing so, shall enjo all the rights, privileges, and benefits conferred by this act on sai Union Pacific Railroad Company.

When Central Pacific Road shall reach eastern line of said State, may go on 150 miles if road not met. Sec. 10, 1862, amended. Also see sec. 2, 1866.

Sec. 14, 1862, amended as to Sioux City Branch Road.

SEC. 17. *And be it further enacted*, That so much of section fourte of said act as relates to a branch from Sioux City be, and the same i hereby, amended so as to read as follows: That whenever a line of rail road shall be completed through the States of Iowa, or Minnesota, t Sioux City, such company, now organized, or may hereafter be organ ized, under the laws of Iowa, Minnesota, Dakota, or Nebraska, as th President of the United States, by its request may designate or approv for that purpose, shall construct and operate a line of railroad an telegraph from Sioux City, upon the most direct and practicable rout to such a point on, and so as to connect with, the Iowa branch of th Union Pacific Railroad from Omaha, or the Union Pacific Railroad, a such company may select, and on the same terms and conditions a are provided in this act and the act to which this is an amendment for the construction of the said Union Pacific Railroad and tele graph line and branches; and said company shall complete the sam at the rate of fifty miles per year; *Provided*, That the said Unio Pacific Railroad Company shall be, and is hereby, released from th construction of said branch. And said company constructing sai branch shall not be entitled to receive in bonds an amount large than the said Union Pacific Railroad Company would be entitled t receive if it had constructed the branch under this act and the ac to which this is an amendment; but said company shall be entitle to receive alternate sections of land for ten miles in width on eac side of the same along the whole length of said branch: *And pro vided further*, That if a railroad should not be completed to Sioux City across Iowa or Minnesota, within eighteen months from the date o this act, then said company designated by the President, as aforesaid may commence, continue, and complete the construction of said branc as contemplated by the provisions of this act: *Provided, however*, Tha if the said company so designated by the President as aforesaid shal not complete the said branch from Sioux City to the Pacific Railroa within ten years from the passage of this act, then, and in that case all the railroad which shall have been constructed by said compan shall be forfeited to, and become the property of, the United States.

Burlington and M. R. R. Co. may extend road, &c.

SEC. 18. *And be it further enacted*, That the Burlington and Missou River Railroad Company, a corporation organized under and by virtu of the laws of the State of Iowa, be and hereby is, authorized to exten i[t]s road through the Territory of Nebraska from the point where i strikes the Missouri River south of the mouth of the Platte River, t some point not further west than the one hundredth meridian of we longitude, so as to connect, by the most practicable route, with th main trunk of the Union Pacific Railroad, or that part of it which ru from Omaha to the said one hundredth meridian of west longitud And for the purpose of enabling said Burlington and Missouri Riv Railroad Company to construct that portion of their road here i authorized, the right of way through the public lands is here granted to said company for the construction of said road. And t right, power, and authority is hereby given to said company to ta from the public lands adjacent to the line of said road, earth, ston timber, and other materials for the construction thereof. Said rig of way is granted to said company to the extent of two hundred fe

Right of way, &c.

where it may pass over the public lands, including all necessary grounds for stations, buildings, work-shops, depots, machine-shops, switches, side-tracks, turn-tables, and water-stations. And the United States shall extinguish, as rapidly as may be consistent with public policy and the welfare of the said Indians, the Indian titles to all lands falling under the operation of this section and required for the said right of way and grant of land herein made.

U. S. to extinguish Indian titles. Sec. 2, 1862

SEC. 19. *And be it further enacted*, That for the purpose of aiding in the construction of said road, there be, and hereby is, granted to the said Burlington and Missouri River Railroad Company, every alternate section of public land (excepting mineral lands as provided in this act) designated by odd numbers, to the amount of ten alternate sections per mile on each side of said road, on the line thereof, and not sold, reserved, or otherwise disposed of by the United States, and to which a pre-emption or homestead claim may not have attached at the time the line of said road is definitely fixed: *Provided*, That said company shall accept this grant within one year from the passage of this act, by filing such acceptance with the Secretary of the Interior, and shall also establish the line of said road, and file a map thereof with the Secretary of the Interior within one year of the date of said acceptance, when the said Secretary shall withdraw the lands embraced in this grant from market.

Land grant to Burlington and M. R. R. Co.

SEC. 20. *And be it further enacted*, That whenever said Burlington and Missouri River Railroad Company shall have completed twenty consecutive miles of the road mentioned in the foregoing section, in the manner provided for other roads mentioned in this act, and the act to which this is an amendment, the President of the United States shall appoint three commissioners to examine and report to him in relation thereto; and if it shall appear to him that twenty miles of said road have been completed as required by this act, then, upon certificate of said commissioner[s] to that effect, patents shall issue conveying the right and title to said lands to said company on each side of said road, as far as the same is completed, to the amount aforesaid; and such examination, report, and conveyance, by patents, shall continue, from time to time, in like manner, until said roads shall have been completed. And the President shall appoint said commissioners, to fill vacancies in said commission, as provided in relation to other roads mentioned in the act to which this is an amendment. And the said company shall be entitled to all the privileges and immunities granted to the Hannibal and Saint Joseph's Railroad Company by the said last-mentioned act, so far as the same may be applicable: *Provided*, That no Government bonds shall be issued to the said Burlington and Missouri River Railroad Company to aid in the construction of said extension of its road; and provided, further, that said extension shall be completed within the period of ten years from the passage of this act.

Burlington and M. R. R. Co. lands, &c.

Bonds.

SEC. 21. *And be it further enacted*, That Before any land granted by this act shall be conveyed to any company or party entitled thereto under this act, there shall first be paid into the Treasury of the United States the cost of surveying, selecting, and conveying the same, by the said company or party in interest, as the titles shall be required by said company, which amount shall, without any further appropriation, stand to the credit of the proper account, to be used by the Commissioner of the General Land Office for the prosecution of the survey of the public lands along the line of said road, and so from year to year until the whole shall be completed, as provided under the provisions of this act.

Lands not to be conveyed to any company until they pay cost of survey &c. Sec. 4, 1862. Sec. 6, 1864.

SEC. 22. *And be it further enacted*, That Congress may, at any time, alter, amend, or repeal this act.

Sec. 18, 1862

AMENDMENT OF MARCH 3, 1865.

13 Stat., 504.

AN ACT to amend an act entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the Government the use of the same for postal, military, and other purposes," approved July first, eighteen hundred and sixty-two, and to amend an act amendatory thereof, approved July second, eighteen hundred and sixty-four.

May issue bonds 100 miles in advance of completed line, interest payable in any lawful money. Sec. 10, 1864.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section ten of said act of July second, eighteen hundred and sixty-four, be so modified and amended as to allow the Central Pacific Railroad Company, and the Western Pacific Railroad Company, of California, the Union Pacific Railroad Company, the Union Pacific Railroad Company, eastern division, and all other companies provided for in the said acts of the second of July, eighteen hundred and sixty-four, to issue their six per centum thirty years' bonds, interest payable in any lawful money of the United States, upon their separate roads. And the said companies are hereby authorized to issue, respectively, their bonds to the extent of one hundred miles in advance of a continuous completed line of construction.

Assignment confirmed to San José and Sacramento road.

SEC. 2. *And be it further enacted,* That the assignment made by the Central Pacific Railroad Company of California to the Western Pacific Railroad Company of said State, of the right to construct all that portion of said railroad and telegraph from the city of San José to the city of Sacramento, is hereby ratified and confirmed to the said Western Pacific Railroad Company, with all the privileges and benefits of the several acts of Congress relating thereto, and subject to all the conditions thereof: *Provided,* That the time within which the said Western Pacific Railroad Company shall be required to construct the first twenty miles of their said road, shall be one year from the first day of July, eighteen hundred and sixty-five, and that the entire road shall be completed from San José to Sacramento, connecting at the latter point with the said Central Pacific Railroad, within four years thereafter.

AMENDMENT OF JULY 3, 1866.

14 Stat., 79.

AN ACT to amend an act entitled "An act to amend an act entitled 'An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the Government the use of the same for postal, military, and other purposes,' approved July first, eighteen hundred and sixty-two," approved July second, eighteen hundred and sixty-four.

U. P. R. R. Co., E. D., time for filing map extended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Union Pacific Railway Company, eastern division, is hereby authorized to designate the general route of their said road and to file a map thereof, as now required by law, at any time before the first day of December, eighteen hundred and sixty-six; and upon the filing of the said map, showing the general route of said road, the lands along the entire line thereof, so far as the same may be designated, shall be reserved from sale by order of the Secretary of the Interior: *Provided,* That said company shall be entitled to only the same amount of the bonds of the United States to aid in the construction of their line of railroad and telegraph as they would have been entitled to if they had connected their said line with the Union Pacific Railroad on the one hundredth degree of longitude as now required by law: *And provided further,* That said company shall connect their line of railroad and telegraph with the Union Pacific Railroad, but not at a point more than fifty miles westwardly from the meridian of Denver in Colorado.

U. P. R. R., to proceed till meet.

SEC. 2. *And be it further enacted,* That the Union Pacific Railroad Company, with the consent and approval of the Secretary of the Interior, are hereby authorized to locate, construct, and continue their road from Omaha, in Nebraska Territory, westward, according to the best and most practicable route, and without reference to the initial point on the one hundredth meridian of west longitude, as now provided by law, in a continuous completed line, until they shall meet and connect

with the Central Pacific Railroad Company of California; and the Central Pacific Railroad Company of California, with the consent and approval of the Secretary of the Interior, are hereby authorized to locate, construct, and continue their road eastward, in a continuous completed line, until they shall meet and connect with the Union Pacific Railroad: *Provided*, That each of the above named companies shall have the right, when the nature of the work to be done, by reason of deep cuts and tunnels, shall for the expeditious construction of the Pacific Railroad require it, to work for an extent of not to exceed three hundred miles in advance of their continuous completed line.

Central Pacific may continue their road eastward with consent of Secretary of the Interior till met by U. P. R. R. Co. Sec. 10, 1862, and Sec 16, 1864, amended.

ACT OF JUNE 25, 1868.

*AN ACT relative to filing reports of railroad companies. 16 Stat., 79.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the reports required to be made to the Secretary of the Treasury on or before the first day of July of each year, by the corporations created by or entitled to subsidies under the provisions of an act entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the Government the use of the same for postal, military, and other purposes," approved July first, eighteen hundred and sixty-two, and the acts supplemental to and amendatory thereof, shall hereafter be made to the Secretary of the Interior, on or before the first day of October of each year. Said reports shall furnish full and specific information upon the several points mentioned in the twentieth section of the said act of eighteen hundred and sixty-two, and shall be verified as therein prescribed, and on failure to make the same as herein required, the issue of bonds or patents to the company in default shall be suspended until the requirements of this act shall be complied with by such company. And the reports hitherto made to the Secretary of the Treasury under the said act of July first, eighteen hundred and sixty-two, shall be transferred and delivered by him to the Secretary of the Interior to be filed by him.

Reports of certain railroads to be made on or before October 1 in each year to Secretary of Interior.

To contain what.

Former reports.

* * * * * * *

SEC. 3. *And be it further enacted*, That the reports required from the commissioners appointed to examine and report in relation to the road of any of the corporations whereto reference is made in this act, shall be addressed to and filed in the Department of the Interior; and all such reports heretofore made shall be transferred to and filed in said Department of the Interior; and so much of any and all acts as requires any reports from such companies, or any officers thereof, to be made to the Secretary of the Treasury, is hereby repealed.

Reports of commissioners to be made to Department of Interior.

Repealing clause.

SEC. 4. *And be it further enacted*, That, in addition to the eight subjects referred to in section twenty of the act of July, eighteen hundred and sixty-two, to be reported upon, there shall also be furnished annually to the Secretary of the Interior all reports of engineers, superintendents, or other officers who make annual reports to any of said railroad companies.

Reports of engineers and other officers who make reports to be furnished.

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* Repealed by act of June 19, 1878.

AN ACT RELATING TO THE DENVER PACIFIC, MARCH 3, 1869.

15 Stat., 324.

AN ACT to authorize the transfer of lands granted to the Union Pacific Railway Company, Eastern Division, between Denver and the point of its connection with the Union Pacific Railway, to the Denver Pacific Railway and Telegraph Company, and to expedite the completion of railroads to Denver, in the Territory of Colorado.

Union Pacific Railroad Company may contract with Denver Pacific Railway and Telegraph Company for the construction, &c., of its road and telegraph between Denver City and Cheyenne, &c.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Union Pacific Railway Company, Eastern Division, be, and it hereby is, authorized to contract with the Denver Pacific Railway and Telegraph Company, a corporation existing under the laws of the Territory of Colorado, for the construction, operation, and maintenance of that part of its line of railroad and telegraph between Denver city and its point of connection with the Union Pacific Railroad, which point shall be at Cheyenne, and to adopt the road-bed already graded by said Denver Pacific Railway and Telegraph Company as said line, and to grant to said Denver Pacific Railway and Telegraph Company the perpetual use of its right of way and depot grounds, and to transfer to it all the rights and privileges, subject to all the obligations pertaining to said part of its line.

Shall extend its railroad and telegraph to, &c., so as to form continuous line from Kansas City to Cheyenne, &c.

SEC. 2. *And be it further enacted*, That the said Union Pacific Railway Company, Eastern Division, shall extend its railroad and telegraph to a connection at the city of Denver, so as to form with that part of its line herein authorized to be constructed, operated, and maintained by the Denver Pacific Railway and Telegraph Company, a continuous line of railroad and telegraph from Kansas City, by way of Denver to Cheyenne. And all the provisions of law for the operation of the Union Pacific Railroad, its branches and connections, as a continuous line, without discrimination, shall apply the same as if the road from Denver to Cheyenne had been constructed by the said Union Pacific Railway Company, Eastern Division; but nothing herein shall authorize the said Eastern Division Company to operate the road or fix the rates of tariff for the Denver Pacific Railway and Telegraph Company.

Laws to apply.

Operating of road and rates of tariff not affected.

The companies may mortgage their roads.

SEC. 3. *And be it further enacted*, That said companies are hereby authorized to mortgage their respective portions of said road, as herein defined, for an amount not exceeding thirty-two thousand dollars per mile, to enable them respectively to borrow money to construct the same; and that each of said companies shall receive patents to the alternate sections of land along their respective lines of road, as herein defined, in like manner and within the same limits as is provided by law in the case of lands granted to the Union Pacific Railway Company, Eastern Division: *Provided*, That neither of the Companies hereinbefore mentioned shall be entitled to subsidy in United States bonds under the provision of this act.

To receive patents for alternate sections of land.

But not entitled to subsidy in United States bonds.

JOINT RESOLUTION OF MARCH 3, 1869.

14 Stat., 348.

JOINT RESOLUTION authorizing the Union Pacific Railway Company, Eastern Division, to change its name to the "Kansas Pacific Railway Company."

Union Pacific Railway Company, Eastern Division, to change its name to Kansas Pacific Railway Company.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Union Pacific Railway Company, Eastern Division, is hereby authorized by resolution of its board of directors, which shall be filed in the office of the Secretary of the Interior, to change its name to the "Kansas Pacific Railway Company."

JOINT RESOLUTION OF APRIL 10, 1869.

16 Stat., 56.

JOINT RESOLUTION for the protection of the interests of the United States in the Union Pacific Railroad Company, the Central Pacific Railroad Company, and for other purposes.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the stockholders of the Union Pacific Railroad Company, at a meeting to be held on the twenty-second day of April, eighteen hundred and sixty-nine, at the city of Boston (with power to adjourn from day to day), shall elect a board of directors for the ensuing year; and said stockholders are hereby authorized to establish their general office at such place in the United States as they may select at said meeting: *Provided,* That the passage of this resolution shall not confer any other right upon said Union Pacific Railroad Company than to hold such election, or be held in any manner to relinquish or waive any rights of the United States to take advantage of any act or neglect of said Union Pacific Railroad Company heretofore done or omitted whereby the rights of the General Government have been or may be prejudiced: *And provided further,* That the common terminus of the Union Pacific and the Central Pacific Railroads shall be at or near Ogden; and the Union Pacific Railroad Company shall build, and the Central Pacific Railroad Company pay for and own the railroad from the terminus aforesaid to Promonotory Summit, at which point the rails shall meet and connect and form one continuous line.

Stockholders of Union Pacific R. R. Co. to elect a board of directors.

To establish their general office.

No other right conferred or waived hereby.

Common terminus of the Union Pacific and Central Pacific Railroad to be at or near Ogden, &c.

SEC. 2. *And be it further resolved,* That to ascertain the condition of the Union Pacific Railroad and the Central Pacific Railroad, the President of the United States is authorized to appoint a board of eminent citizens, not exceeding five in number, and who shall not be interested in either road, to examine and report upon the condition of, and what sum or sums, if any, will be required to complete each of said roads, for the entire length thereof, to the said terminus as a first-class railroad, in compliance with the several acts relating to said roads; and the expense of such board, including an allowance of ten dollars to each for their services for each day employed in such examination or report, to be paid equally by said companies.

The President to appoint a commission to examine and report upon the roads.

Expenses and pay of commissioners.

SEC. 3. *And be it further resolved,* That the President is hereby authorized and required to withhold from each of said companies an amount of subsidy bonds authorized to be issued by the United States under said acts sufficient to secure the full completion as a first-class road of all sections of such road upon which bonds have already been issued, or in lieu of such bonds he may receive as such security an equal amount of the first mortgage bonds of such company; and if it shall appear to the President that the amount of subsidy bonds yet to be issued to either of said companies is sufficient to insure the full completion of such road, he may make requisition upon such company for a sufficient amount of bonds already issued to said company, or in his discretion of their first mortgage bonds, to secure the full completion of the same. And in default of obtaining such security as [is] in this section provided, the President may authorize and direct the Attorney-General to institute such suits and proceedings on behalf and in the name of the United States, in any court of the United States having jurisdiction, as shall be necessary or proper to compel the giving of such security, and thereby, or in any manner otherwise, to protect the interests of the United States in said road, and to insure the full completion thereof as a first-class road, as required by law and the statutes in that case made.

Subsidy bonds to be withheld sufficient to secure the full completion, as a first-class road, of all sections of such road, &c.

If the amount to be issued is insufficient, &c.

Attorney-General to institute necessary suits.

SEC. 4. *And be it further resolved,* That the Attorney-General of the United States be, and he is hereby, authorized and directed to investigate whether or not the charter and all the franchises of the Union Pacific Railroad Company and of the Central Pacific Railroad Company have not been forfeited, and to institute all necessary and proper legal proceedings; also to investigate whether or not said companies have or have not made any illegal dividends upon their stock, and if so to institute the necessary proceedings to have the same reimbursed; and also to investigate whether any of the directors or any other agents or employés of said companies have or not violated any penal law, and if so to institute the proper criminal proceedings against all persons who have violated such laws.

Attorney-General to investigate whether the charter of the Union Pacific and Central Pacific Railroads have not been forfeited, &c.

To institute criminal proceedings, if, &c.

ACT OF MAY 6, 1870.

16 Stat., 121.

AN ACT to fix the point of junction of the Union Pacific Railroad Company and the Central Pacific Railroad Company.

Point of junction of the Union Pacific Railroad and the Central Pacific R. R. established northwest of the station at Ogden, &c.

Grant of certain sections.

Reserve for schools.

Price of land.

Private rights.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the common terminus and point of junction of the Union Pacific Railroad Company and the Central Pacific Railroad Company shall be definitely fixed and established on the line of railroad as now located and constructed, northwest of the station at Ogden, and within the limits of the sections of land herein after mentioned, viz: Section thirty-six of township seven, of range two situated north and west of the principal meridian and base line in the territory of Utah, and sections twenty-five, twenty-six, and thirty-five of township seven, of range two, and section six of township six, and sections thirty and thirty-one of township seven, of range one, and sections one and two of township six, of range two, all situate north and west of said principal meridian and base line; and said companies are hereby authorized to enter upon, use, and possess said sections, which are hereby granted to them in equal shares, with the same rights, privileges, and obligations now by law provided with reference to other lands granted to said railroads: *Provided, however*, That the Secretary of the Interior shall designate a section of land in said township seven, of range two, belonging to said companies, and reserve the same for the benefit of schools in said territory, in accordance with the act of February twenty-one, eighteen hundred and fifty-five, establishing the office of surveyor-general of Utah, and to grant land for school and university purposes: *Provided also*, That said companies shall pay for any additional lands acquired by this act at the rate of two dollars and fifty cents an acre: *And provided further*, That no rights of private persons shall be affected by this act.

ACT OF FEBRUARY 24, 1871.

16 Stat., 430.

AN ACT to authorize the Union Pacific Railroad Company to issue its bonds to construct a bridge across the Missouri River at Omaha, Nebraska, and Council Bluffs, Iowa.

Union Pacific Railroad Co. may issue bonds, &c., to construct, &c., a bridge across the Missouri River at Omaha.

Construction of bridge, tolls, &c.

Eastern terminus of railroad not to be changed.

Congress may regulate tolls and fares.

Amount of bonds.

Draws.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the more perfect connection of any railroads that are or shall be constructed to the Missouri River, at or near Council Bluffs, Iowa, and Omaha, Nebraska, the Union Pacific Railroad Company be, and it is hereby, authorized to issue such bonds, and secure the same by mortgage on the bridge and approaches and appurtenances, as it may deem needful to construct and maintain its bridge over said river, and the tracks and depots required to perfect the same, as now authorized by law of Congress; and said bridge may be so constructed as to provide for the passage of ordinary vehicles and travel, and said company may levy and collect tolls and charges for the use of the same; and for the use and protection of said bridge and property, the Union Pacific Railway Company shall be empowered, governed, and limited by the provisions of the act entitled "An act to authorize the construction of certain bridges, and to establish them as post-roads," approved July twenty-five, eighteen hundred and sixty-six, so far as the same is applicable thereto: *And provided*, That nothing in this act shall be so construed as to change the eastern terminus of the Union Pacific Railroad from the place where it is now fixed under existing laws, nor to release said Union Pacific Railroad Company, or its successors, from its obligation as established by existing laws: *Provided also*, That Congress shall at all times have power to regulate said bridge, and the rates for the transportation of freight and passengers over the same, and the local travel hereinbefore provided for. And the amount of bonds herein authorized shall not exceed two and a half millions of dollars: *Provided*, That if said bridge shall be constructed as a draw-bridge, the same shall be constructed with spans of not less than two hundred feet in length in the clear on each side of the central or pivot pier of the draw.

ACT OF MARCH 3, 1871.

AN ACT making appropriations for the support of the Army for the year ending June 30, 1872, &c. Stat. 235.

* * * * * * *

SEC. 9. That, in accordance with the fifth section of the act approved July two, eighteen hundred and sixty-four, entitled "An act to amend an act entitled 'An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the Government the use of the same for postal, military, and other purposes,' approved July first, eighteen hundred and sixty-two," the Secretary of the Treasury is hereby directed to pay over in money to the Pacific Railroad companies mentioned in said act, and performing services for the United States, one-half of the compensation at the rate provided by law for such services, heretofore or hereafter rendered: *Provided*, That this section shall not be construed to affect the legal rights of the Government or the obligations of the companies, except as herein specifically provided.

Secretary of Treasury to pay over to Pacific Railroad Companies one-half of compensation, &c.

Legal rights of parties not otherwise affected.

ACT OF MARCH 3, 1873.

An act making appropriations for the legislative, executive, and judicial expenses of the Government for the year ending June 30, 1874, and for other purposes. 17 Stat. 508.

* * * * * * *

SEC. 2. That the Secretary of the Treasury is directed to withhold all payments to any railroad company and its assigns, on account of freights or transportation, over their respective roads, of any kind, to the amount of payments made by the United States for interest upon bonds of the United States issued to any such company, and which shall not have been reimbursed together with the five per cent. of net earnings due and unapplied as provided by law; and any such company may bring suit in the Court of Claims to recover the price of such freight and transportation; and in such suit the right of such company to recover the same upon the law and the facts of the case shall be determined and also the rights of the United States upon the merits of all the points presented by it in answer thereto by them and either party to such suit may appeal to the Supreme Court; and both said courts shall give such cause or causes precedence of all other business.

Secretary of the Treasury to withhold payments to certain railroad companies for freight, &c.

Companies may bring suit in Court of Claims.

Appeal to Supreme Court. Causes to have precedence.

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SEC. 4. That the Attorney-General shall cause a suit in equity to be instituted in the name of the United States against the Union Pacific Railroad Company, and against all persons who may, in their own names or through any agents, have subscribed for or received capital stock in said road, which stock has not been paid for in full in money, or who may have received, as dividends or otherwise, portions of the capital stock of said road, or the proceeds or avails thereof, or other property of said road, unlawfully and contrary to equity, or who may have received as profits or proceeds of contracts for construction, or equipments of said road, or other contracts therewith, moneys or other property which ought, in equity, to belong to said railroad corporation, or who may, under pretense of having complied with the acts to which this is an addition, have wrongfully and unlawfully received from the United States bonds, moneys, or lands which ought, in equity, to be accounted for and paid to said railroad company or to the United States, and to compel payment for said stock, and the collection and payment of such moneys, and the restoration of such property, or its value, either to said railroad corporation or to the United States, whichever shall in equity be held entitled thereto. Said suit may be brought in the circuit court in any circuit, and all said parties may be made defendants in one suit. Decrees may be entered and enforced against any one or more parties defendant without awaiting the final determination of the cause against other parties. The court where said cause is pending may make such orders and decrees and issue such process as it shall deem necessary to bring in new parties or the representatives of parties deceased, or to carry into effect the purposes of this act. On filing the bill writs of subpœna may be issued by said court against any parties defendant, which writ shall run into any district, and shall be served, as other like process, by the marshal of such district. The books, records, correspondence, and all other documents of the Union Pacific Railroad Company, shall at all times be open to inspection by the Secretary of the Treasury, or such persons as he may delegate for

Attorney-General to bring suit in equity against the Union Pacific Railroad Company and all persons who, etc.

Suit to be brought in any circuit court. Decrees.

New parties, etc.

Writs of subpœna to run into any district, and how served.

Books of the railroad company to be open to inspection.

Bankrupt laws not to apply.

Dividends, new stock, mortgages, etc.

No director to be interested in any contract, except, etc.

Penalty.

Jurisdiction of circuit court to issue mandamus.

that purpose. The laws of the United States providing for proceedings in bankruptcy shall not be held to apply to said corporation. No dividend shall hereafter be made by said company but from the actual net earnings thereof; and no new stock shall be issued, or mortgages or pledges made on the property or future earnings of the company, without leave of Congress, except for the purpose of funding and securing debt now existing, or the renewal thereof. No director or officer of said road shall hereafter be interested, directly or indirectly, in any contract therewith, except for his lawful compensation as such officer. Any director or officer who shall pay or declare, or aid in paying or declaring any dividend, or creating any mortgage or pledge prohibited by this act, shall be punished by imprisonment not exceeding two years, and by fine not exceeding five thousand dollars. The proper circuit court of the United States shall have jurisdiction to hear and determine all cases of mandamus to compel said Union Pacific Railroad Company to operate its road as required by law.

ACT OF JUNE 20, 1874.

18 Stat., 111.

AN ACT making additions to the fifteenth section of the act approved July 2, 1864, entitled "An act to amend an act entitled 'An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the government the use of the same for postal, military, and other purposes,' approved July 1, 1862."

Certain roads to be operated as continuous line with equal facilities.

Agents or officers to be fined in case of refusal.

Union Pacific Company to be sued in case of refusal.

Penalty fixed.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be, and is hereby, added to the fifteenth section of the act approved July second, eighteen hundred and sixty-four, entitled "An act to amend an act entitled 'An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the government the use of the same for postal, military, and other purposes,' approved July first, eighteen hundred and sixty-two," the following words, namely: "And any officer or agent of the companies authorized to construct the aforesaid roads, or of any company engaged in operating either of said roads, who shall refuse to operate and use the road or telegraph under his control, or which he is engaged in operating for all purposes of communication, travel, and transportation, so far as the public and the government are concerned, as one continuous line, or shall refuse, in such operation and use, to afford and secure to each of said roads equal advantages and facilities as to rates, time, or transportation, without any discrimination of any kind in favor of, or adverse to, the road or business of any or either of said companies, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not exceeding one thousand dollars, and may be imprisoned not less than six months. In case of failure or refusal of the Union Pacific Railroad Company, or either of said branches, to comply with the requirements of this act and the acts to which this act is amendatory, the party injured or the company aggrieved may bring an action in the district or circuit court of the United States in the territory, district, or circuit in which any portion of the road of the defendant may be situated, for damages on account of such failure or refusal; and, upon recovery, the plaintiff shall be entitled to judgment for treble the amount of all excess of freight and fares collected by the defendant, and for treble the amount of damages sustained by the plaintiff by such failure or refusal; and for each and every violation of or failure to comply with the requirements of this act, a new cause of action shall arise; and in case of suit in any such territory, district, or circuit, process may be served upon any agent of the defendant found in the territory, district, or circuit in which such suit may be brought, and such service shall be by the court held to be good and sufficient; and it is hereby provided that for all the purposes of said act, and of the acts amendatory thereof, the railway of the Denver Pacific Railway and Telegraph Company shall be deemed and taken to be a part and extension of the road of the Kansas Pacific Railroad, to the point of junction thereof with the road of the Union Pacific Railroad at Cheyenne, as provided in the act of March third, eighteen hundred and sixty-nine.

ACT OF JUNE 22, 1874.

AN ACT providing for the collection of moneys due the United States from the Pacific Railroad Companies. 18 Stat., 200.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and hereby is, directed to require payment of the railroad companies, their successors and assigns, or the successors or assigns of any or either of said companies, of all sums of money due or to become due, the United States for the five per centum of the net earnings provided for by the act entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the government the use of the same for postal, military, and other purposes" approved July first, eighteen hundred and sixty-two, or by any other act or acts in relation to the companies therein named, or any other such company or companies, and in case either of said railroad companies shall neglect or refuse to pay the same within sixty days after demand therefor made upon the treasurer of such railroad company, the Secretary of the Treasury shall certify that fact to the Attorney-General, who shall thereupon institute the necessary suits and proceedings to collect and otherwise obtain redress in respect of the same in the proper circuit courts of the United States, and prosecute the same, with all convenient dispatch to a final determination.

Secretary of the Treasury to demand five per cent. of net earning.

Attorney-General to bring suit.

ACT OF MARCH 3, 1875.

AN ACT making appropriations for the support of the Army for the fiscal year ending June thirtieth, eighteen hundred and seventy-six, and for other purposes. 18 Stat., 453.

Provided, That no money shall hereafter be paid to any railroad company for the transportation of any property or troops of the United Stated over any railroad which, in whole or in part, was constructed by the aid of a grant of public land, on the condition that such railroad should be a public highway for the use of the Government of the United States, free from toll or other charge, or upon any other conditions for the use of such road, for such transportation; nor shall any allowance be made for the transportation of officers of the Army over any such road when on duty and under orders as military officers of the United States. But nothing herein contained shall be construed as preventing any such railroad from bringing a suit in the Court of Claims for the charges for such transportation, and recovering for the same if found entitled thereto, by virtue of the laws in force prior to the passage of this act; provided that the claim for such charges shall not have been barred by the statute of limitations at the time of bringing the suit, and either party shall have the right of appeal to the Supreme Court of the United States: *And provided further*, That the foregoing provision shall not apply for the current fiscal year, nor thereafter, to roads where the sole condition of transportation is that the company shall not charge the Government higher rate than they do individuals for like transportation, and when the Quartermaster-General shall be satisfied that this condition has been faithfully complied with.

No payment for transportation of troops, &c., to railroads, receiving land grants &c.

No allowance for transportation of officers on duty.

Right of companies to sue in Court of Claims.

Statute of limitations.

Appeal.

ACT OF APRIL 20, 1878. 20 Stat., 44.

AN ACT to provide for deficiencies in the appropriations for the service of the government for the fiscal year ending June thirtieth, eighteen hundred and seventy-eight; and for prior years, for subsistence of the Army, and for other purposes.

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WAR DEPARTMENT.

TRANSPORTATION.—To enable the Secretary of War to pay for transportation of the Army, including baggage of the troops when moving either by land or water; of clothing and camp and garrison equipage from the depots of Philadelphia and Jeffersonville to the several posts and Army depots, and from those depots to the troops in the field; of

Transportation of Army.

horse-equipments and of subsistence stores from the places of purchas and from the places of delivery, under contract, to such places as th circumstances of the service may have required them to be sent; c ordnance, ordnance stores, and small-arms from the founderies an armories to the arsenals, fortifications, frontier posts, and Army depot freights, wharfage, tolls, and ferriages; the purchase and hire of horse mules, oxen, and harness, and the purchase and repair of wagons, cart and drays, and of ships, and other sea-going vessels and boats require for the transportation of supplies and for garrison purposes; for dra age and cartage at the several posts; hire of teamsters; transport tion of funds for the pay and other disbursing departments; the e pense of sailing public transports on the various rivers, the Gulf c Mexico, and the Atlantic and Pacific; for procuring water at suc posts as, from their situation, require it to be brought from a distanc and for clearing roads, and for removing obstructions from roads, ha bors, and rivers, to the extent which has been required for the actu operations of the troops in the field, one million two hundred tho sand dollars, being a deficiency for the fiscal year ending June thirtiet eighteen hundred and seventy-seven: *Provided, however*, That no pa of this sum shall be paid to any railroad company or to its assigns o account of freights or transportation over their respective roads unle there be an excess due such company after charging the amount c payments made by the United States for interest upon bonds of th United States issued to any such company; but the same shall be pai to the Secretary of the Treasury, to be by him withheld, as directe by existing law.

Railway companies.

Interest on bonds to be deducted.

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ACT OF MAY 7, 1878.

20 Stat., 56.

AN ACT to alter and amend the act entitled "An act to aid in the construction a railroad and telegraph line from the Missouri River to the Pacific Ocean, and secure to the government the use of the same for postal, military, and for oth purposes," approved July first, eighteen hundred and sixty-two, and also to alt and amend the act of Congress approved July second, eighteen hundred and sixt four, in amendment of said first-named act.

Preamble.

Whereas, on the first day of July, anno Domini eighteen hundre and sixty-two, Congress passed an act entitled "An act to aid in th construction of a railroad and telegraph line from the Missouri Rive to the Pacific Ocean, and to secure to the government the use of th same for postal, military, and other purposes; and

Whereas afterward, on the second day of July, anno Domini eightee hundred and sixty-four, Congress passed an act in amendment of sai first-mentioned act; and

Whereas, the Union Pacific Railroad Company, named in said act and under the authority thereof, undertook to construct a railwa after the passage thereof, over some part of the line mentioned in sai acts; and

Whereas, under the authority of the said two acts, the Central Pa cific Railroad Company of California, a corporation existing under th laws of the State of California, undertook to construct a railway, aft the passage of said acts, over some part of the line mentioned in sai acts; and

Whereas the United States, upon demand of said Central Pacifi Railroad Company, have heretofore issued, by way of loan, and a provided in said acts, to and for the benefit of said company, in aid c the purposes named in said acts, the bonds of the United States, pa able in thirty years from the date thereof, with interest at six pe centum per annum, payable half-yearly, to the amount of twenty-fiv million eight hundred and eighty-five thousand one hundred and twent dollars, which said bonds have been sold in the market or otherwis disposed of by said company; and

Whereas the said Central Pacific Company has issued and dispose of an amount of its own bonds equal to the amount so issued by th United States, and secured the same by mortgage, and which are, lawfully issued and disposed of, a prior and paramount lien, in th respect mentioned in said acts, to that of the United States, as state and secured thereby; and

Whereas, after the passage of said acts, the Western Pacific Railroad Company, a corporation then existing under the laws of California, did, under the authority of Congress, become the assignee of the rights, duties, and obligations of the said Central Pacific Railroad Company, as provided in the act of Congress passed on the third of March, anno Domini eighteen hundred and sixty-five, and did, under the authority of the said act and of the acts aforesaid, construct a railroad from the city of San José to the city of Sacramento, in California, and did demand and receive from the United States the sum of one million nine hundred and seventy thousand five hundred and sixty dollars of the bonds of the United States, of the description before mentioned as issued to the Central Pacific Company, and in the same manner and under the provisions of said acts; and upon and in respect of the bonds so issued to both said companies, the United States have paid interest to the sum of more than thirteen and a half million dollars, which has not been reimbursed; and

Whereas said Western Pacific Railroad Company has issued and disposed of an amount of its own bonds equal to the amount so issued by the United States to it, and secured the same by mortgage, which are, if lawfully issued and disposed of, a prior and paramount lien to that of the United States, as stated and secured thereby; and

Whereas said Western Pacific Railroad Company has since become merged in, and consolidated with, said Central Pacific Railroad Company, under the name of the Central Pacific Railroad Company, whereby the said Central Pacific Railroad Company has become liable to all the burdens, duties, and obligations before resting upon said Western Pacific Railroad Company; and divers other railroad companies have been merged in and consolidated with said Central Pacific Railroad Company; and

Whereas the United States, upon the demand of the said Union Pacific Railroad Company, have heretofore issued by way of loan to it and as provided in said acts, the bonds of the United States, payable in thirty years from the date thereof, with interest at six per centum per annum, payable half-yearly, the principal sums of which amount to twenty-seven million two hundred and thirty-six thousand five hundred and twelve dollars; on which the United States have paid over ten million dollars interest over and above all reimbursements; which said bonds have been sold in the market or otherwise disposed of by said corporation; and

Whereas said corporation has issued and disposed of an amount of its own bonds equal to the amounts so issued to it by the United States as aforesaid, and secured the same by mortgage, and which are, if lawfully issued and disposed of, a prior and paramount lien, in the respect mentioned in said acts, to that of the United States, as stated, and secured thereby; and

Whereas the total liabilities (exclusive of interest to accrue) to all creditors, including the United States, of the said Central Pacific Company, amount in the aggregate to more than ninety-six million dollars, and those of the said Union Pacific Railroad Company to more than eighty-eight million dollars; and

Whereas the United States, in view of the indebtedness and operations of said several railroad companies respectively, and of the disposition of their respective incomes, are not and can not, without further legislation, be secure in their interests in and concerning said respective railroads and corporations, either as mentioned in said acts or otherwise; and

Whereas a due regard to the rights of said several companies respectively, as mentioned in said act of eighteen hundred and sixty-two, as well as just security to the United States in the premises, and in respect of all the matters set forth in said act, require that the said act of eighteen hundred and sixty-two be altered and amended as hereinafter enacted; and

Whereas, by reason of the premises also, as well as for other causes of public good and justice, the powers provided and reserved in said act of eighteen hundred and sixty-four for the amendment and alteration thereof ought also to be exercised as hereinafter enacted: Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the net earnings mentioned in said act of eighteen hundred and sixty-two, of said railroad com- Net earnings

How to be ascertained.

panies respectively, shall be ascertained by deducting from the gross amount of their earnings, respectively, the necessary expenses actually paid within the year in operating the same and keeping the same in a state of repair, and also the sum paid by them respectively within the year in discharge of interest on their first-mortgage bonds, whose lien has priority over the lien of the United States, and excluding from consideration all sums owing or paid by said companies respectively for interest upon any other portion of their indebtedness; and the foregoing provision shall be deemed and taken as an amendment of said act of eighteen hundred and sixty-four, as well as of said act of eighteen hundred and sixty-two. This section shall take effect on the thirtieth day of June next, and be applicable to all computations of net earnings thereafter; but it shall not effect any right of the United States or of either of said railroad companies existing prior thereto.

Date of effect.

Compensation retained; how applied.

SEC. 2. That the whole amount of compensation which may, from time to time, be due to said several railroad companies respectively for services rendered for the Government shall be retained by the United States, one-half thereof to be presently applied to the liquidation of the interest paid and to be paid by the United States upon the bonds so issued by it as aforesaid, to each of said corporations severally and the other half thereof to be turned into the sinking fund herein after provided, for the uses therein mentioned.

Sinking fund. (Amended by section 5 of act of March 3, 1887.)

SEC 3. That there shall be established in the Treasury of the United States a sinking-fund, which shall be invested by the Secretary of the Treasury in bonds of the United States; and the semi-annual income thereof shall be in like manner from time to time invested, and the same shall accumulate and be disposed of as hereinafter mentioned. And in making such investments the Secretary shall prefer the five per centum bonds of the United States, unless for good reasons appearing to him, and which he shall report to Congress, he shall at any time deem it advisable to invest in other bonds of the United States. All the bonds belonging to said fund shall, as fast as they shall be obtained, be so stamped as to show that they belong to said fund, and that they are not good in the hands of other holders than the Secretary of the Treasury until they shall have been indorsed by him, and publicly disposed of pursuant to this act.

Credits and payments to sinking fund.

SEC. 4. That there shall be carried to the credit of the said fund on the first day of February in each year, the one-half of the compensation for services hereinbefore named, rendered for the Government by said Central Pacific Railroad Company, not applied in liquidation of interest; and, in addition thereto, the said company shall, on said day in each year, pay into the Treasury, to the credit of said sinking-fund, the sum of one million two hundred thousand dollars, or so much thereof as shall be necessary to make the five per centum of the net earnings of said road payable to the United States under said act of eighteen hundred and sixty-two, and the whole sum earned by it as compensation for services rendered for the United States, together with the sum by this section required to be paid, amount in the aggregate to twenty-five per centum of the whole net earnings of said railroad company, ascertained and defined as hereinbefore provided, for the year ending on the thirty-first day of December next preceding. That there shall be carried to the credit of the said fund, on the first day of February in each year, the one-half of the compensation for services hereinbefore named, rendered for the Government by said Union Pacific Railroad Company, not applied in liquidation of interest; and, in addition thereto, the said company shall, on said day in each year, pay into the Treasury, to the credit of said sinking-fund, the sum of eight hundred and fifty-thousand dollars, or so much thereof as shall be necessary to make the five per centum of the net earnings of its said road payable to the United States under said act of eighteen hundred and sixty-two, and the whole sum earned by it as compensation for services rendered for the United States, together with the sum by this section required to be paid, amount in the aggregate to twenty-five per centum of the whole net earnings of said railroad company, ascertained and defined as hereinbefore provided, for the year ending on the thirty-first day of December next preceding.

SEC. 5. That whenever it shall be made satisfactorily to appear to the Secretary of the Treasury, by either of said companies, that seventy-five per centum of its net earnings as hereinbefore defined, for any current year are or were insufficient to pay the interest for such

year upon the obligation of such company, in respect of which obligations there may exist a lien paramount to that of the United States, and that such interest has been paid out of such net earnings, said Secretary is hereby authorized, and it is made his duty, to remit for such current year so much of the twenty-five per centum of net earnings required to be paid into the sinking-fund, as aforesaid, as may have been thus applied and used in the payment of interest as aforesaid.

Dividends prohibited, when.

SEC. 6. That no dividend shall be voted, made, or paid for or to any stockholder or stockholders in either of said companies respectively at any time when the said company shall be in default in respect of the payment either of the sums required as aforesaid to be paid into said sinking-fund, or in respect of the payment of the said five per centum of the net earnings, or in respect of interest upon any debt the lien of which, or of the debt on which it may accrue, is paramount to that of the United States; and any officer or person who shall vote, declare, make, or pay, and any stockholder of any of said companies who shall receive any such dividend contrary to the provisions of this act, shall be liable to the United States for the amount thereof, which, when recovered, shall be paid into said sinking-fund. And every such officer, person, or stockholder who shall knowingly vote, declare, make, or pay any such dividend, contrary to the provisions of this act, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished by a fine not exceeding ten thousand dollars, and by imprisonment not exceeding one year.

Penalties.

SEC. 7. That the said sinking-fund so established and accum[ul]ated shall at the maturity of such bonds so respectively issued by the United States, be applied to the payment and satisfaction thereof, according to the interest and proportion of each of said companies in said fund, and of all interest paid by the United States thereon, and not reimbursed, subject to the provisions of the next section.

Application of sinking fund.

SEC. 8. That said sinking-fund so established and accumulated shall, according to the interest and proportion of said companies respectively therein, be held for the protection, security, and benefit of the lawful and just holders of any mortgage or lien debts of such companies respectively, lawfully paramount to the rights of the United States, and for the claims of other creditors, if any, lawfully chargeable upon the funds so required to be paid into said sinking-fund, according to their respective lawful priorities, as well as for the United States, according to the principles of equity, to the end that all persons having any claim upon said sinking-fund may be entitled thereto in due order; but the provisions of this section shall not operate or be held to impair any existing legal right, except in the manner in this act provided, of any mortgage, lien, or other creditor of any of said companies respectively, nor to excuse any of said companies respectively from the duty of discharging, out of other funds, its debts to any creditor except the United States.

United States lien on all property of the R. R. companies.

SEC. 9. That all sums due to the United States from any of said companies respectively, whether payable presently or not, and all sums required to be paid to the United States or into the Treasury, or into said sinking-fund under this act or under the acts hereinbefore referred to, or otherwise, are hereby declared to be a lien upon all the property, estate, rights and franchises of every description granted or conveyed by the United States to any of said companies respectively or jointly, and also upon all the estate and property, real, personal, and mixed, assets, and income of the said several railroad companies respectively, from whatever source derived, subject to any lawfully prior and paramount mortgage lien, or claim thereon. But this section shall not be construed to prevent said companies respectively from using and disposing of any of their property or assets in the ordinary, proper, and lawful course of their current business, in good faith and for valuable consideration.

Proceedings against the companies.

SEC. 10. That it is hereby made the duty of the Attorney-General of the United States to enforce, by proper proceedings against the several railroad companies respectively or jointly, or against either of them, and others, all the rights of the United States under this act and under the acts hereinbefore mentioned, and under any other act of Congress or right of the United States; and in any suit or proceedings already commenced, or that may be hereafter commenced, against any of said companies, either alone or with other parties, in respect of matters

arising under this act, or under the acts or rights hereinbefore men tioned or referred to, it shall be the duty of the court to determine th very right of the matter without regard to matters of form, joinder o parties, multifariousness, or other matters not affecting the substan tial rights and duties arising out of the matters and acts hereinbefor stated and referred to.

SEC. 11. That if either of said railroad companies shall fail to pe form all and singular the requirements of this act and of the acts here inbefore mentioned, and of any other act relating to said company, t be by it performed, for the period of six months next after such pe formance may be due, such failure shall operate as a forfeiture of al the rights, privileges, grants, and franchises derived or obtained b it from the United States; and it shall be the duty of the Attorney General to cause such forfeiture to be judicially enforced.

Forfeiture.

SEC. 12. That nothing in this act shall be construed or taken in an wise to affect or impair the right of Congress at any time hereafte further to alter, amend, or repeal the said acts hereinbefore mentioned and this act shall be subject to alteration, amendment, or repeal, as i the opinion of Congress, justice or the public welfare may require And nothing herein contained shall be held to deny, exclude, or impai any right or remedy in the premises now existing in favor of the Unite States.

Right of Congress to further amend.

SEC. 13. That each and every of the provisions in this act containe shall severally and respectively be deemed, taken, and held as in alter ation and amendment of said act of eighteen hundred and sixty-tw and of said act of eighteen hundred and sixty-four respectively, an of both said acts.

ACT OF JUNE 19, 1878.

20 Stat., 169.

AN ACT to create an Auditor of Railroad Accounts, and for other purposes.*

Be it enacted by the Senate and House of Representatives of the Unite States of America in Congress assembled, That section 20 of the ac entitled "An act to aid in the construction of a railroad and telegrapl line from the Missouri River to the Pacific Ocean, and to secure to th Government the use of the same for postal, military, and other pur poses," approved July first, anno Domini eighteen hundred and sixty two, and the act entitled "An act relative to filing reports of railroa companies" approved June twenty-fifth, anno Domini eighteen hun dred and sixty-eight, be, and the same are hereby repealed.

Repeal of prior laws.

SEC. 2. That the office of Auditor of Railroad Accounts is hereb established as a bureau of the Interior Department. The said Audito shall be appointed by the President of the United States, by and wit the advice and consent of the Senate. The annual salary of the sai Auditor shall be, and is hereby, fixed at the sum of five thousand dol lars. To assist the said Auditor to perform the duties of said office, th Secretary of the Interior shall appoint one book-keeper at an annua salary of two thousand four hundred dollars, one assistant bookkeepe at an annual salary of two thousand dollars, one clerk at an annua salary of one thousand four hundred dollars, and one copyist at a annual salary of nine hundred dollars. Actual and necessary travelin and other expenses incurred in visiting the offices of the railroad com panies hereinafter described, and for which vouchers shall be rendered are hereby allowed, not to exceed the sum of two thousand dollars pe annum; and it is hereby specially provided that each of said railroa companies shall furnish transportation over its own road, without ex pense to the United States, for the said Auditor, or any person actin under his direction. Incidental expenses for books, stationery, an other material necessary for the use of said bureaus are hereby allowed not to exceed the sum of seven hundred dollars per annum. And th sum of twelve thousand dollars is hereby appropriated for the use and purposes of this act for the fiscal year ending June thirtieth, ann Domini, eighteen hundred and seventy-nine.

Organization of bureau.

SEC. 3. That the duties of the said Auditor under and subject to th direction of the Secretary of the Interior shall be, to prescribe a sys tem of reports to be rendered to him by the railroad companies whos roads are in whole or in part west, north, or south of the Missou

Duties of Auditor.

* Title changed to Commissioner of Railroads. Act March 3, 1881 (21 Stat., 409).

River, and to which the United States have granted any loan or credit or subsidy in bonds or lands; to examine the books and accounts of each of said railroad companies once in each fiscal year, and at such other times as may be deemed by him necessary to determine the correctness of any report received from them; to assist the Government directors of any of said railway companies in all matters which come under their cognizance whenever they may officially request such assistance; to see that the laws relating to said companies are enforced; to furnish such information to the several departments of the Government in regard to tariffs for freight and passengers and in regard to the accounts of said railroad companies as may be by them required, or, in the absence of any request therefor, as he may deem expedient for the interest of the Government; and to make an annual report to the Secretary of the Interior, on the first day of November, on the condition of each of said railroad companies, their road, accounts, and affairs, for the fiscal year ending June thirtieth immediately preceding.

R. R. companies to report, &c.

SEC. 4. That each and every railroad company aforesaid which has received from the United States any bonds of the said United States, issued by way of loan to aid in constructing or furnishing its road, or which has received from the United States any lands, granted to it for a similar purpose, shall make to the said Auditor any and all such reports as he may require from time to time and shall submit its books and records to the inspection of said Auditor or any person acting in his place and stead, at any time that the said Auditor may request, in the office where said books and records are usually kept; and the said Auditor, or his authorized representative, shall make such transcripts from the said books and records as he may desire.

Penalty for neglect or refusal.

SEC. 5. That if any railroad company aforesaid shall neglect or refuse to make such reports as may be called for, or refuse to submit its books and records to inspection, as provided in section four of this act, such neglect or refusal shall operate as a forfeiture, in each case of such neglect or refusal, of a sum not less than one thousand nor more than five thousand dollars, to be recovered by the Attorney-General of the United States, in the name and for the use and benefit of the United States; and it shall be the duty of the Secretary of the Interior, in all such cases of neglect or refusal as aforesaid, to inform the Attorney-General of the facts, to the end that such forfeiture or forfeitures may be judicially enforced.

Application of act.

SEC. 6. This act shall apply to any and all persons or corporations into whose hands either of said railroads may lawfully come, as well as to the original companies.

Date of effect.

SEC. 7. This act shall take effect on and after the first day of July, anno Domini eighteen hundred and seventy-eight.

ACT OF MARCH 3, 1879.

AN ACT making appropriations to supply deficiencies in the appropriations for the fiscal year ending June thirtieth, eighteen hundred and seventy-nine and for prior years, and for those heretofore treated as permanent, and for other purposes.

20 Stat., 420

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POST-OFFICE DEPARTMENT.

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Settlement of accounts of Pacific Railways.

That for the proper adjustments of the accounts of the Union Pacific, Central Pacific, Kansas Pacific, Western Pacific, and Sioux City and Pacific Railroad Companies, respectively, for services which have been or may hereafter be performed for the Government for transportation of the Army and transportation of the mails, the Secretary of the Treasury is hereby authorized to make such entries upon the books of the Department as will carry to the credit of said companies the amount so earned or to be earned by them during each fiscal year and withheld under the provisions of section fifty-two hundred and sixty of the Revised Statutes and of the act of Congress approved May seventh, eighteen hundred and seventy-eight: *Provided*, That this shall not authorize the expenditure of any money from the

R. S., 5260. 1878, ch. 75, ante, 44.

Treasury nor change the method now provided by law for the and iting of such claims against the Government: *Provided further*, Tha this paragraph shall not be so construed as to be a disposition of an moneys due to or to become due to or from said companies respec tively, or to, in any way, affect their rights or duties or the rights o the United States, under existing laws, it being only intended hereb to enable the proper accounting officers to state on the books of th Treasury the accounts between the Government and said companie respectively.

Proviso. No change of rights, &c.

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ACT OF MARCH 1, 1881.

21 Stat., 375 AN ACT making appropriations for the service of the Post-Office Department fo the fiscal year ending June 30, 1882, and for other purposes.

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Railway post-office car service. Penalty for not providing railway post-office cars.

For railway post-office car service, one million four hundred an twenty-six thousand dollars. And hereafter when any railroad com pany fail or refuse to provide railway post-office cars when require by the Post-Office Department, or shall fail or refuse to provide suita ble safety-heaters and safety-lamps therefor, with such number o saws and axes to each car for use in case of accident as may be require by the Post-Office Department, said company shall have its pay re duced ten per centum on the rates fixed in section four thousand an two of the Revised Statutes, as amended by act of July twelfth, eight een hundred and seventy-six, entitled "An act making appropria tions for the service of the Post-Office Department for the fiscal yea ending June thirtieth, eighteen hundred and seventy-seven, and fo other purposes," and as further amended by the act of June seventeen eighteen hundred and seventy-eight, entitled "An act making appro priations for the service of the Post-Office Department for the fisca year ending June thirtieth, eighteen hundred and seventy-nine, an for other purposes."

R. S., 4002, 1876, ch. 179; 19 Stat., 78.

ACT OF MARCH 3, 1881.

21 Stat., 409. AN ACT making appropriations for the legislative, executive, and judicial expense of the Government for the fiscal year ending June 30, 1882, and for other purposes

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OFFICE OF AUDITOR OF RAILROAD ACCOUNTS.—For Auditor, wh shall hereafter be styled Commissioner of Railroads, four thousand fiv hundred dollars, &c.

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ACT OF JUNE 30, 1882.

22 Stat., 120. AN ACT making appropriations for the support of the Army for the fiscal yea ending June 30, 1883, and for other purposes.

Payment to land-grant railroads for transportation.

For the payment for Army transportation lawfully due such land grant railroads as have not received aid in Government bonds, to b adjusted by the proper accounting officers in accordance with th decisions of the Supreme Court in cases decided under such land-gran acts, but in no case shall more than fifty per centum of the full amoun of the service be paid, one hundred and twenty-five thousand dollars *Provided*, That such compensation shall be computed upon the basi of the tariff rates for like transportation performed for the public a large, and shall be accepted as in full for all demands for said services *And provided further*, That any such land-grant roads as shall file wit the Secretary of the Treasury their written acceptance of this provi sion shall hereafter be paid for like service as herein provided; and al accounts of such railroads for services heretofore rendered shall b audited and paid as herein provided upon application of such road and their acceptance of such sum in full of all claims for such serv ices; and all laws inconsistent herewith are hereby repealed.

ACT OF MARCH 3, 1887.

AN ACT authorizing an investigation of the books, accounts, and methods of railroads which have received aid from the United States, and for other purposes. 24 Stat. 488.

* * * * * * *

SEC. 4. That whenever, in the opinion of the President, it shall be deemed necessary to the protection of the interests and the preservation of the security of the United States in respect of its lien, mortgage, or other interest in any of the property of any or all of the several companies upon which a lien, mortgage, or other incumbrance paramount to the right, title or interest of the United States for the same property, or any part of the same, may exist and be then lawfully liable to be enforced, the Secretary of the Treasury shall, under the direction of the President, redeem or otherwise clear off such paramount lien, mortgage, or other incumbrance by paying the sums lawfully due in respect thereof out of the Treasury; and the United States shall thereupon become and be subrogated to all rights and securities theretofore pertaining to the debt, mortgage, lien, or other incumbrance in respect of which such payment shall have been made. It shall be the duty of the Attorney General, under the direction of the President, to take all such steps and proceedings, in the courts and otherwise, as shall be needful to redeem such lien, mortgage or other incumbrance, and to protect and defend the rights and interests of the United States in respect of the matters in this section mentioned, and to take steps to foreclose any mortgages or lien of the United States on any such railroad property.

Proceedings to protect the rights, etc., of the United States.

SEC. 5. That the sinking-funds which are or may be held in the Treasury for the security of the indebtedness of either or all of said railroad companies may, in addition to the investments now authorized by law, be invested in any bonds of the United States heretofore issued for the benefit of either or all of said companies, or in any of the first-mortgage bonds of either of said companies which have been issued under the authority of any law of the United States and secured by mortgages of their roads and franchises, which by any law of the United States have been made prior and paramount to the mortgage, lien, or other security of the United States in respect of its advances to either of said companies as provided by law.

Investment of sinking funds.

LAWS RELATING TO THE NORTHERN PACIFIC RAILROAD.

ACT OF JULY 2, 1864.

AN ACT granting lands to aid in the construction of a railroad and telegraph line from Lake Superior to Puget's Sound, on the Pacific coast, by the northern route. 13 Stat., 365.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Richard D. Rice, John A. Poore, Samuel P. Strickland, Samuel C. Fessenden, * * * and all such other persons who shall or may be associated with them, and their successors, are hereby created and erected into a body corporate and politic, in deed and in law, by the name, style, and title of the "Northern Pacific Railroad Company," and by that name shall have perpetual succession, and shall be able to sue and be sued, plead and be impleaded, defend and be defended, in all courts of law and equity within the United States, and may make and have a common seal. And said corporation is hereby authorized and empowered to lay out, locate, construct, furnish, maintain, and enjoy a continuous railroad and telegraph line, with the appurtenances, namely, beginning at a point on Lake Superior, in the State of Minnesota or Wisconsin; thence westerly by the most eligible railroad route, as shall be determined by said company, within the territory of the United States on a line north of the forty-fifth degree of latitude to some point on Puget's Sound, with a branch, via the valley of the Columbia River, to a point at or near Portland, in the State of Oregon, leaving the main trunk line at the most suitable place, not more than three hundred miles from its western terminus; and is hereby vested with all the powers, privileges, and immunities necessary to carry into effect the purposes of this act as herein set forth. The capital stock of said company shall consist of one million shares of one hundred dollars each, which shall in all respects be deemed personal property, and shall be transferable in such

Northern Pacific Railroad Company incorporated.

Name.

Empowered to lay out, construct, and enjoy a continuous railroad and telegraph line.

From Lake Superior, on a line north of the 45th degree of latitude, to Puget's Sound.

Right to construct a branch to Portland, Oreg.

Capital stock $100,000,000.

manner as the by-laws of said corporation shall provide. The pers herein before named are hereby appointed commissioners, and shal called the Board of Commissioners of the "Northern Pacific Railr Company," and fifteen shall constitu[t]e a quorum for the transact of business. The first meeting of said board of commissioners shal held at the Melodion Hall, in the city of Boston, at such time as five commissioners herein named from Massachusetts shall appo not more than three months after the passage of this act, notic which shall be given by them to the other commissioners by publ ing said notice in at least one daily newspaper in the cities of Bos New York, Philadelphia, Cincinnati, Milwaukee, and Chicago, on week at least four weeks previous to the day of meeting. Said bo shall organize by the choice from its number of a president, vice-pr dent, secretary, and treasurer, and they shall require from said tr urer such bonds as may be deemed proper, and may from time to t increase the amount thereof as they may deem proper. The secret shall be sworn to the faithful performance of his duties, and such o shall be entered upon the records of the company, signed by him, the oath verified thereon. The president and secretary of said bo shall in like manner call all other meetings naming the time and pl thereof. It shall be the duty of said board of commissioners to o books, or cause books to be opened, at such times, and in such pri pal cities or other places in the United States, as they, or a quorun them, shall determine, within six months after the passage of this to receive subscriptions to the capital stock of said corporation, a cash payment of ten per centum on all subscriptions and to rec therefor. So soon as twenty thousand shares shall in good faitl subscribed for, and ten dollars per share actually paid into the tr ury of the company, the said president and secretary of said boar commissioners shall appoint a time and place for the first meetin the subscribers to the stock of said company, and shall give no thereof in at least one newspaper in each State in which subscrip books have been opened, at least fifteen days previous to *to* the da meeting, and such subscribers as shall attend the meeting so cal either in person or by lawful proxy, then and there shall elect by ba thirteen directors for said corporation; and in such election each sh of said capital stock shall entitle the owner thereof to one vote." president and secretary of the board of commissioners, and, in cas their absence or inability, any two of the officers of said board, s act as inspectors of said election, and shall certify under their ha the names of the directors elected at said meeting; and the said c missioners, the treasurer, and secretary, shall then deliver over to directors all the properties, subscription books and other books in t possession, and thereupon the duties of said commissioners and officers previously appointed by them, shall cease and determine ever, and thereafter the stockholders shall constitute said body pol and corporate. Annual meetings of the stockholders of the said poration for the choice of officers (when they are to be chosen) and the transaction of business, shall be holden at such time and pl and upon such notice as may be prescribed in the by-laws.

Board of Commissioners appointed.

First meeting of commissioners to be held in Boston, Mass.

Officers to be chosen from the board of commissioners.

Books of subscriptions to be opened in such cities as the board may determine.

First meeting of subscribers to capital stock.

Thirteen directors to be elected by stockholders.

Commissioners to deliver to directors all properties, etc.

Annual meetings to be held as prescribed by by-laws.

SEC. 2. *And be it further enacted*, That the right of way through public lands be, and the same is hereby, granted to said "North Pacific Railroad Company," its successors and assigns, for the consti tion of a railroad and telegraph as proposed; and the right, power, authority is hereby given to said corporation to take from the pu lands, adjacent to the line of said road, material of earth, stone, tim and so forth, for the construction thereof. Said way is granted to railroad to the extent of two hundred feet in width on each sid said railroad where it may pass through the public domain, includ all necessary ground for station building, workshops, depots, mach shops, switches, side tracks, turn-tables, and water-stations; and right of way shall be exempt from taxation within the Territorie the United States. The United States shall extinguish, as rapidl may be consistent with public policy and the welfare of the said Indi the Indian titles to all lands falling under the operation of this and acquired in the donation to the [road] named in this bill.

Grant of right of way.

Authority to take from adjacent lands material for construction.

Right of way 200 feet in width on each side of said railroad.

Right of way exempt from taxation.

Indian titles to be extinguished by the United States.

SEC. 3. *And be it further enacted*, That there be, and hereby is, gran to the "Northern Pacific Railroad Company," its successors and assi for the purpose of aiding in the construction of said railroad and t graph line to the Pacific coast, and to secure the safe and speedy tr

Grant of land.

portation of the mails, troops, munitions of war, and public stores, over the route of said line of railway, every alternate section of public land, not mineral, designated by odd numbers, to the amount of twenty alternate sections per mile, on each side of said railroad line, as said company may adopt, through the Territories of the United States, and ten alternate sections of land per mile on each side of said railroad whenever it passes through any State, and whenever on the line thereof, the United States have full title, not reserved, sold, granted, or otherwise appropriated, and free from pre-emption, or other claims or rights, at the time the line of said road is definitely fixed, and plat thereof filed in the office of the Commissioner of the General Land Office; and whenever, prior to said time, any of said sections or parts of sections shall have been granted, sold, reserved, occupied by homestead settlers, or pre-empted, or otherwise disposed of, other lands shall be selected by said company in lieu thereof, under the direction of the Secretary of the Interior, in alternate sections, and designated by odd numbers, not more than ten miles beyond the limits of said alternate sections: *Provided*, That if said route shall be found upon the line of any other railroad route to aid in the construction of which lands have been heretofore granted by the United States, as far as the routes are upon the same general line, the amount of land heretofore granted shall be deducted from the amount granted by this act: *Provided further*, That the railroad company receiving the previous grant of land may assign their interest to said "Northern Pacific Railroad Company," or may consolidate, confederate, and associate with said company upon the terms named in the first section of this act: *Provided further*, That all mineral lands be, and the same are hereby, excluded from the operations of this act, and in lieu thereof a like quantity of unoccupied and unappropriated agricultural lands, in odd-numbered sections, nearest to the line of said road may be selected as above provided: *And provided further*, That the word "mineral," when it occurs in this act, shall not be held to include iron or coal: *And provided further*, That no money shall be drawn from the Treasury of the United States to aid in the construction of the said "Northern Pacific Railroad."

Forty sections per mile in the Territories.

Twenty sections per mile in the States.

Other lands in lieu of those reserved, etc.

Land limits.

If route is upon the line of any other aided road former grant shall be deducted.

Road having previous grant may assign.

"Mineral" lands not granted.

Agricultural lands may be selected in lieu of mineral lands.

"Mineral" does not include iron or coal.

SEC. 4. *And be it further enacted*, That whenever said "Northern Pacific Railroad Company" shall have twenty-five consecutive miles of any portion of said railroad and telegraph line ready for the service contemplated the President of the United States shall appoint three commissioners to examine the same, and if it shall appear that twenty-five consecutive miles of said road and telegraph line have been completed in a good, substantial, and workmanlike manner, as in all other respects required in this act, the commissioners shall so report to the President of the United States, and patents of lands as aforesaid shall be issued to said company, confirming to said company the right and title to said lands, situated opposite to, and conterminous with, said completed section of said road; and, from time to time, whenever twenty-five additional consecutive miles shall have been constructed, completed, and in readiness as aforesaid, and verified by said commissioners to the President of the United States, then patents shall be issued to said company conveying the additional sections of land as aforesaid, and so on as fast as every twenty-five miles of said road is completed: *Provided*, That no more than ten sections of land per mile, as said road shall be completed, shall be conveyed to said company for all that part of said railroad lying east of the western boundary of the State of Minnesota, until the whole of said railroad shall be finished and in good running order, as a first class railroad, from the place of beginning on Lake Superior to the western boundary of Minnesota: *Provided also*, That lands shall not be granted under the provisions of this act on account of any railroad, or part thereof, constructed at the date of the passage of this act.

The President to appoint three commissioners to examine road

Commissioners to report to the President.

Proviso as to lands in Minnesota.

Proviso as to road previously built.

SEC. 5. *And be it further enacted*, That said Northern Pacific Railroad shall be constructed in a substantial and workmanlike manner, with all the necessary draws, culverts, bridges, viaducts, crossings, turnouts, stations, and watering places, and all other appurtenances, including furniture, and rolling stock, equal in all respects to railroads of the first class, when prepared for business, with rails of the best quality, manufactured from American iron. And a uniform gauge shall be established throughout the entire length of the road. And there shall be constructed a telegraph line, of the most substantial and approved

Road to be constructed as a "first-class" railroad.

Rails of American iron. (See res. 16 Stat., 378.)

Gauge to be uniform.

Telegraph line. Condition as to

charges for Government transportation and telegraphic service.

Other roads may form running connections on equitable terms.

Lands to be surveyed as fast as construction of road may require.

Government land not to be sold for less than a per acre.

Authorizes company to take any lands necessary for construction of its road.

200 feet on each side.

Lands for depots, etc.

Damages to be determined by commissions.

Procedure.

What proceedings in cases of lands held by any infant or person subject to any legal disability.

description, to be operated along the entire line: *Provided*, That th said company shall not charge the Government higher rates than the do individuals for like transportation and telegraphic service. And i shall be the duty of the Northern Pacific Railroad Company to permi any other railroad which shall be authorized to be built by the Unite States, or by the legislature of any Territory or State in which th same may be situated, to form running connections with it, on fair an equitable terms.

SEC. 6. *And be it further enacted*, That the President of the Unite States shall cause the lands to be surveyed for forty miles in width o both sides of the entire line of said road, after the general route shal be fixed, and as fast as may be required by the construction of sai railroad; and the odd sections of land hereby granted shall not be liabl to sale, or entry, or pre-emption before or after they are surveyed, ex cept by said company, as provided in this act; but the provisions o the act of September, eighteen hundred and forty-one, granting pre emption rights, and the acts amendatory thereof, and of the act en titled "An act to secure homesteads to actual settlers on the publi domain," approved May twenty, eighteen hundred and sixty-two, shal be, and the same is hereby, extended to all other lands on the line o said road, when surveyed, excepting those hereby granted to said com pany. And the reserved alternate sections shall not be sold by the Gov ernment at a price less than two dollars and fifty cents per acre, whe offered for sale.

SEC. 7. *And be it further enacted*, That the said "Northern Pacifi Railroad Company" be, and is hereby, authorized and empowered t enter upon, purchase, take, and hold any lands or premises that ma be necessary or proper for the construction and working of said roa not exceeding in width two hundred feet on each side of the line o its railroad, unless a greater width be required for the purpose of exca vation or embankment; and also any lands or premises that may b necessary and proper for turnouts, standing places for cars, depot station-houses, or any other structures required in the constructio and working of said road. And the said company shall have the righ to cut and remove trees and other material that might, by falling encumber its road-bed, though standing or being more than two hun dred feet from the line of said road. And in case the owner of suc lands or premises and the said company cannot agree as to the valu of the premises taken, or to be taken for the use of said road, the valu thereof shall be determined by the appraisal of three disintereste commissioners, who may be appointed, upon application by eithe party, to any court of record in any of the Territories in which th lands or premises to be taken lie; and said commissioners, in thei assessment of damages, shall appraise such premises at what woul have been the value thereof if the road had not been built. And upo return into court of such appraisement, and upon the payment int the same of the estimated value of the premises taken for the use an benefit of the owner thereof, said premises shall be deemed to be take by said company, which shall thereby acquire full title to the sam for the purpose aforesaid. And either party feeling aggrieved at sai appraisement may, within thirty days after the same has been returne into court, file an appeal therefrom, and demand a jury of twelve me to estimate the damage sustained; but such appeal shall not interfer with the rights of said company to enter upon the premises taken, o to do any act necessary and proper in the construction of its roa And said party appealing shall give bonds, with sufficient surety o sureties, for the payment of any cost that may arise upon such appea and in case the party appealing does not obtain a verdict, increasin or diminishing, as the case may be, the award of the commissioner such party shall pay the whole cost incurred by the appellee, as we as his own, and the payment into court, for the use of the owner said premises taken, of a sum equal to that finally awarded, shall held to vest in said company the title of said land, and of the rig to use and occupy the same for the construction, maintenance, a operation of said road. And in case any of the lands to be taken, a aforesaid, shall be held by any infant, femme covert, non compo insane person, or persons residing without the Territory within whi the lands to be taken lie, or person subjected to any legal disabilit the court may appoint a guardian for any party under any disqualif cation, to appear in proper person, who shall give bonds, with suff cient surety or sureties, for the proper and faithful execution of hi

trust, and who may represent in court the person disqualified, as aforesaid, from appearing, when the same proceedings shall be had in reference to the appraisement of the premises to be taken for the use of said company, and with the same effect as has been already described; and the title of the company to the lands taken by virtue of this act shall not be affected or impaired by reason of any failure by any guardian to discharge faithfully his trust. And in case any party shall have a right or claim to any land for a term of years, or any interest therein, in possession, reversion, or remainder, the value of any such estate, less than a fee simple, shall be estimated and determined in the manner hereinbefore set forth. And in case it shall be necessary for the company to enter upon any lands which are unoccupied, and of which there is no apparent owner or claimant, it may proceed to take and use the same for the purposes of said railroad, and may institute proceedings, in manner described, for the purpose of ascertaining the value of, and acquiring title to, the same; but the judge of the court hearing said suit shall determine the kind of notice to be served on such owner or owners, and he may in his discretion appoint an agent or guardian to represent such owner or owners in case of his or their incapacity or non-appearance. But in case no claimant shall appear within six years from the time of the opening of said road across any land, all claims to damages against said company shall be barred.

Other proceedings.

Proceedings when lands are unoccupied.

Claims barred if not made within six years.

SEC. 8. *And be it further enacted*, That each and every grant, right, and privilege herein are so made and given to, and accepted by said Northern Pacific Railroad Company, upon and subject to the following conditions, namely: that the said company shall commence the work on said road within two years from the approval of this act by the President, and shall complete not less than fifty miles per year after the second year, and shall construct, equip, furnish, and complete the whole road by the fourth day of July, anno Domini eighteen hundred and seventy-six.

Grants made subject to certain conditions.

Whole road to be completed by July 4, 1876.

Joint res. May 7, 1867, time extended two years; joint res. July 1, 1868, sec. 8; amended.

SEC. 9. *And be it further enacted*, That the United States make the several conditioned grants herein, and that the said Northern Pacific Railroad Company accept the same, upon the further condition that if the said company make any breach of the conditions hereof, and allow the same to continue for upwards of one year, then, in such case, at any time hereafter, the United States, by its Congress, may do any and all acts and things which may be needful and necessary to insure a speedy completion of said road.

Congress may do anything necessary to insure a speedy completion of the road.

SEC. 10. *And be it further enacted*, That all people of the United States shall have the right to subscribe to the stock of the Northern Pacific Railroad Company until the whole capital named in this act of incorporation is taken up, by complying with the terms of subscription; and no mortgage or construction bonds shall ever be issued by said company on said road, or mortgage, or lien made in any way, except by the consent of the Congress of the United States.

All people of the United States may subscribe to the stock, until whole amount is taken up.

No bonds to be issued without consent of Congress.

SEC. 11. *And be it further enacted*, That said Northern Pacific Railroad, or any part thereof, shall be a post-route and a military road, subject to the use of the United States, for postal, military, naval, and all other Government service, and also subject to such regulations as Congress may impose restricting the charges for such Government transportation.

To be a post-route and military road.

Congress may restrict charges for Government transportation.

SEC. 12. *And be it further enacted*, That the acceptance of the terms, conditions, and impositions of this act by the said Northern Pacific Railroad Company shall be signified in writing under the corporate seal of said company, duly executed pursuant to the directions of its board of directors first had and obtained, which acceptance shall be made within two years after the passage of this act, and not afterwards, and shall be served on the President of the United States.

Company to accept terms, conditions, &c., within two years.

SEC. 13. *And be it further enacted*, That the directors of said company shall make an annual report of their proceedings and expenditures, verified by the affidavits of the president and at least six of the directors, and they shall, from time to time, fix, determine, and regulate the fares, tolls, and charges to be received and paid for transportation of persons and property on said road, or any part thereof.

Annual report to be verified by affidavits of president and six directors of company.

SEC. 14. *And be it further enacted*, That the directors chosen in pursuance of the first section of this act shall, as soon as may be after their election, elect from their own number a president and vice-president; and said board of directors shall, from time to time, and as soon as may be after their election, choose a treasurer and secretary, who

Election of president and vice-president from board of directors.

Treasurer and secretary.

shall hold their offices at the will and pleasure of the board of dire tors. The treasurer and secretary shall give such bonds, with suc security as the said board from time to time may require. The secr tary shall, before entering upon his duty, be sworn to the faithful di charge thereof, and said oath shall be made a matter of record upc the books of said corporation. No person shall be a director of sa company unless he shall be a stockholder, and qualified to vote f directors at the election at which he shall be chosen.

Term of office of president, vice-president, and directors not to exceed three years.

SEC. 15. *And be it further enacted*, That the president, vice-presiden and directors shall hold their offices for the period indicated in the b laws of said company, not exceeding three years, respectively, ar until others are chosen in their place, and qualified. In case it sha so happen that an election of directors shall not be made on ar day appointed by the by-laws of said company, the corporation sha not for that excuse be deemed to be dissolved, but such election ma be holden on any day which shall be appointed by the directors. Tl

Directors empowered to make by-laws, rules, and regulations.

directors, of whom seven, including the president, shall be a quoru for the transaction of business, shall have full power to make ar prescribe such by-laws, rules, and regulations as they shall deem nee ful and proper touching the disposition and management of the stoc property, estate, and effects of the company, the transfer of shares, tl duties and conduct of their officers and servants touching the electi and meeting of the directors, and all matters whatsoever which ma appertain to the concerns of said company; and the said board

Directors may fill vacancies in board.

directors may have full power to fill any vacancy or vacancies th may occur from any cause or causes from time to time in their sa board. And the said board of directors shall have power to appoi

Directors empowered to appoint engineers, agents, &c.

such engineers, agents, and subordinates as may from time to time l necessary to carry into effect the object of the company, and to do a acts and things touching the location and construction of said road.

Directors to require payment of ten per centum cash assessment, and balance of subscription when needed.

SEC. 16. *And be it further enacted*, That it shall be lawful for the d rectors of said company to require payment of the sum of ten per ce tum cash assessment upon all subscriptions received of all subscribe and the balance thereof at such times and in such proportions and such conditions as they shall deem to be necessary to complete the sa road and telegraph line within the time in this act prescribed. Six days' previous notice shall be given of the payments required, and the time and place of payment, by publishing a notice once a week one daily newspaper in each of the cities of Boston, New York, Phil delphia, and Chicago; and in case any stockholder shall neglect or r fuse to pay, in pursuance of such notice, the stock held by such pers

Forfeited stock may be redeemed on terms prescribed by directors.

shall be forfeited absolutely to the use of the company, and also ar payment or payments that shall have been made on account there subject to the condition that the board of directors may allow the r demption on such terms as they may prescribe.

Company authorized to accept other grants, franchises, &c.

SEC. 17. *And be it further enacted*, That the said company is autho ized to accept to its own use any grant, donation, loan, power, fra chise, aid, or assistance which may be granted to, or conferred up said company by the Congress of the United States, by the legislatu of any State, or by any corporation, person, or persons; and said co poration is authorized to hold and enjoy any such grant, donatio loan, power, franchise, aid, or assistance, to its own use for the purpo aforesaid.

Consent of State legislatures to be obtained.

SEC. 18. *And be it further enacted*, That said Northern Pacific Railro Company shall obtain the consent of the legislature of any State throu which any portion of said railroad line may pass previous to commen ing the construction thereof; but said company may have the right put on engineers and survey the route before obtaining the consent the legislature.

Act to be null and void, unless two millions of dollars of stock are subscribed for within two years.

SEC. 19. *And be it further enacted*, That unless said Northern Paci Railroad Company shall obtain *bona fide* subscriptions to the stock said company to the amount of two millions of dollars, with ten p centum paid within two years after the passage and approval of th act, it shall be null and void.

Congress may add to, alter, amend, or repeal this act, having due regard for the rights of the company.

SEC. 20. *And be it further enacted*, That the better to accomplish tl object of this act, namely, to promote the public interest and welfa by the construction of said railroad and telegraph line, and keepi the same in working order, and to secure to the Government at times (but particularly in time of war) the use and benefits of tl same for postal, military, and other purposes, Congress may, at ar time, having due regard for the rights of said Northern Pacific Rai road Company, add to, alter, amend, or repeal this act.

JOINT RESOLUTION OF MAY 7, 1866.

No. 34.—A RESOLUTION extending the time for the completion of the Union Pacific Railway, eastern division and Northern Pacific Railroad. 14 Stat., 355.

* * * * * * *

Northern Pacific Railroad.

SEC. 2. *And be it further resolved*, That the time for commencing, and completing the Northern Pacific Railroad, and all its several sections, is extended for the term of two years.

ACT OF JUNE 25, 1868. (*Repealed.*)

AN ACT relative to filing reports of railroad companies. 15 Stat., 79.

Reports to the Secretary of the Interior to be made on or before the first day of October of each year by subsidized Pacific railroad companies.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the reports required to be made to the Secretary of the Treasury on or before the first day of July of each year, by the corporations created by or entitled to subsidies under the provisions of an act entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the Government the use of the same for postal, military, and other purposes," approved July first, eighteen hundred and sixty-two, and the acts supplemental to and amendatory thereof, shall hereafter be made to the Secretary of the Interior, on or before the first day of October of each year. Said reports shall furnish full and specific information upon the several points mentioned in the twentieth section of the said act of eighteen hundred and sixty-two, and shall be verified as therein prescribed, and on failure to make the same as herein required, the issue of bonds or patents to the company in default shall be suspended until the requirements of this act shall be complied with by such company. And the reports hitherto made to the Secretary of the Treasury under the said act of July first, eighteen hundred and sixty-two, shall be transferred and delivered by him to the Secretary of the Interior to be filled by him.

Northern Pacific, Atlantic and Pacific and Southern Pacific Railroad Companies to report at same time as the Union Pacific Railroad Company.

SEC. 2. *And be it further enacted*, That the corporations created by the provisions of the acts of Congress approved July second, eighteen hundred and sixty-four, and July twenty-seventh, eighteen hundred and sixty-six, and known as the Northern Pacific Railroad Company, the Atlantic and Pacific Railroad Company, and the Southern Pacific Railroad Company, shall make reports to the Secretary of the Interior on or before the first of October of each year, as are required to be made by the Union Pacific Railroad and branches, under the provisions of the first section of this act, and on failure so to do, shall be subject to the like suspension.

Reports of examining commissioners to be addressed to and filed in the Department of the Interior.

SEC. 3. *And be it further enacted*, That the reports required from the commissioners appointed to examine and report in relation to the road of any of the corporations whereto reference is made in this act, shall be addressed to and filed in the Department of the Interior; and all such reports heretofore made shall be transferred to and filed in said Department of the Interior; and so much of any and all acts as requires any reports from such companies, or any officers thereof, to be made to the Secretary of the Treasury, is hereby repealed.

Annual reports of officers to be furnished annually to the Secretary of the Interior.

SEC. 4. *And be it further enacted*, That, in addition to the eight subjects referred to in section twenty of the act of July, eighteen hundred and sixty-two, to be reported upon, there shall also be furnished annually to the Secretary of the Interior all reports of engineers, superintendents, or other officers who make annual reports to any of said railroad companies.

(The foregoing act was repealed by act of Congress, approved June 19, 1878, 20 U. S. Stat., 169.)

JOINT RESOLUTION OF JULY 1, 1868.

15 Stat., p. 255. No. 47.—JOINT RESOLUTION extending the time for the completion of the Northern Pacific Railroad.

Section 8, chap. 217, 13 Stat., 370, amended.

Time extended to July 4, 1879. (See res. of May 7, 1866, 14 Stat., 355.)

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section eight of an act entitled "An act granting lands to aid in the construction of a railroad and telegraph line from Lake Superior to Puget Sound, on the Pacific coast," is hereby so amended as to read as follows: That each and every grant, right, and privilege herein, are so made and given to and accepted by said Northern Pacific Railroad Company upon and subject to the following conditions, namely: That the said company shall commence the work on said road within two years from and after the second day of July, eighteen hundred and sixty-eight, and shall complete not less than one hundred miles per year after the second year thereafter, and shall construct, equip, furnish, and complete the whole road by the fourth day of July, anno Domini eighteen hundred and seventy-seven.

JOINT RESOLUTION OF MARCH 1, 1869.

15 Stat., 346. 13 Stat., 370. No. 15.—JOINT RESOLUTION gra[n]ting the Consent of Congress provided for in section ten of the Act incorporating the Northern Pacific Railroad Company, approved July second, eighteen hundred and sixty-four.

Consent of Congress given to issue mortgage bonds for construction purposes.

Meaning of term "Puget Sound."

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of the Congress of the United States is hereby given to the Northern Pacific Railroad Company to issue its bonds, and to secure the same by mortgage upon its railroad and its telegraph line, for the purpose of raising funds with which to construct said railroad and telegraph line between Lake Superior and Puget Sound, and also upon its branch to a point at or near Portland, Oregon; and the term "Puget Sound," as used here and in the act incorporating said company, is hereby construed to mean all the waters connected with the Straits of Juan de Fuca within the territory of the United States.

JOINT RESOLUTION OF APRIL 10, 1869.

16 Stat., 57. No. 20.—JOINT RESOLUTION granting Right of Way for the Construction of a Railroad from a Point at or near Portland, Oregon, to a Point west of the Cascade Mountains, in Washington Territory.

Company authorized to extend its branch line from Portland to Puget Sound.

Not entitled hereby to any subsidy or additional lands

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Northern Pacific Railroad Company be, and hereby is, authorized to extend its branch line from a point at or near Portland, Oregon, to some suitable point on Puget Sound, to be determined by said company, and also to connect the same with its main line west of the Cascade mountains, in the Territory of Washington; said extension being subject to all the conditions and provisions, and said company in respect thereto being entitled to all the rights and privileges conferred by the act incorporating said company, and all acts additional to and amendatory thereof: *Provided,* That said company shall not be entitled to any subsidy in money, bonds, or additional lands of the United States, in respect to said extension of its branch line as aforesaid, except such lands as may be included in the right of way on the line of such extension as it may be located: *And provided further,* That at least twenty-five miles of said extension shall be constructed before the second day of July, eighteen hundred and seventy-one, and forty miles per year thereafter until the whole of said extension shall be completed.

RESOLUTION OF MAY 31, 1870.

No. 67.—A RESOLUTION authorizing the Northern Pacific Railroad Company to issue its Bonds for the Construction of its road and to secure the same by Mortgage, and for other Purposes. 16 Stat., 378.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Northern Pacific Railroad Company be, and hereby is, authorized to issue its bonds to aid in the construction and equipment of its road, and to secure the same by mortgage on its property and rights of property of all kinds and descriptions, real, personal, and mixed, including its franchises as a corporation; and, as proof and notice of its legal execution and effectual delivery, said mortgage shall be filed and recorded in the office of the Secretary of the Interior; and also to locate and construct, under the provisions and with the privileges, grants, and duties provided for in its act of incorporation, its main road to some point on Puget Sound, via the valley of the Columbia River, with the right to locate and construct its branch from some convenient point on its main trunk line across the Cascade Mountains to Puget Sound; and in the event of there not being in any State or Territory in which said main line or branch may be located, at the time of the final location thereof, the amount of lands per mile granted by Congress to said company, within the limits prescribed by its charter, then said company shall be entitled, under the directions of the Secretary of the Interior, to receive so many sections of land belonging to the United States, and designated by odd numbers, in such State or Territory, within ten miles on each side of said road, beyond the limits prescribed in said charter, as will make up such deficiency, on said main line or branch, except mineral and other lands as exempted in the charter of said company of eighteen hundred and sixty-four, to the amount of the lands that have been granted, sold, reserved, occupied by homestead settlers, pre-empted, or otherwise disposed of subsequent to the passage of the act of July two, eighteen hundred and sixty-four, and that twenty-five miles of said main line between its western terminus and the city of Portland, in the State of Oregon, shall be completed by the first day of January, anno Domini eighteen hundred and seventy-two, and forty miles of the remaining portion thereof each year thereafter until the whole shall be completed between said points: *Provided,* That all lands hereby granted to said company which shall not be sold or disposed of or remain subject to the mortgage by this act authorized, at the expiration of five years after the completion of the entire road, shall be subject to settlement and preëmption like other lands, at a price to be paid to said company not exceeding two dollars and fifty cents per acre; and if the mortgage hereby authorized shall at any time be enforced by foreclosure or other legal proceeding, or the mortgaged lands hereby granted, or any of them, be sold by the trustees to whom such mortgage may be executed, either at its maturity or for any failure or default of said company under the terms thereof, such lands shall be sold at public sale, at places within the States and Territories in which they shall be situate, after not less than sixty days previous notice, in single sections or subdivisions thereof, to the highest and best bidder: *Provided further,* That in the construction of the said railroad, American iron or steel only shall be used, the same to be manufactured from American ores exclusively.

Authorized to issue mortgage bonds for construction and equipment of road.

Mortgage to be filed and recorded in the office of the Secretary of the Interior.

Authorized to locate its main road via Columbia River, with a branch across the Cascade Mountains to Puget Sound.

Limits within which indemnity lands may be obtained increased ten miles, being sixty miles on each side of the road.

Company's lands unsold and not mortgaged subject to settlement at not over $2.50 per acre five years after completion of the entire road.

American iron or steel, manufactured from American ores exclusively, shall only be used.

SEC. 2. *And be it further resolved,* That Congress may at any time alter or amend this joint resolution, having due regard to the rights of said company and any other parties

Congress reserves the right to alter or amend.

LAWS RELATING TO THE ATLANTIC AND PACIFIC RAILROAD.

ACT OF JULY 27, 1866.

14 Stat., 292. **AN ACT granting Lands to aid in the Construction of a Railroad and Telegraph Line from the States of Missouri and Arkansas to the Pacific Coast.**

Atlantic and Pacific Railroad Company incorporated.

Name.

Empowered to lay out, construct, and enjoy a continuous railroad and telegraph line.

From Springfield, Mo., via Albuquerque, N. Mex., along the 35th parallel of latitude, to the Pacific.

Right to construct a branch from Canadian River to a point near Van Buren, Ark.

Capital stock, $100,000,000.

Board of commissioners appointed.

First meeting of commissioners to be held in St. Louis, Mo.

Organization of board.

President and secretary to call other meetings.

Duty of the board of commissioners to open books for subscriptions to stock.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That John B. Brown, Anson P. Morrill, Samuel F. Hersey, William G. Crosby, Samuel E. Spring, Samuel P. Dinsmore, of Maine; * * * and all such other persons who shall or may be associated with them, and their successors, are hereby created and erected into a body corporate and politic, in deed and in law, by the name, style, and title of the "Atlantic and Pacific Railroad Company," and by that name shall have perpetual succession, and shall be able to sue and be sued, plead and be impleaded, defend and be defended, in all courts of law and equity within the United States, and may make and have a common seal. And said corporation is hereby authorized and empowered to lay out, locate, and construct, furnish, maintain, and enjoy, a continuous railroad and telegraph line, with the appurtenances, namely: Beginning at or near the town of Springfield, in the State of Missouri, thence to the western boundary line of said State, and thence by the most eligible railroad route as shall be determined by said company to a point on the Canadian River, thence to the town of Albuquerque, on the River Del Norte, and thence by way of the Agua Frio, or other suitable pass, to the head waters of the Colorado Chiquito, and thence, along the thirty-fifth parallel of latitude as near as may be found most suitable for a railway route, to the Colorado River, at such point as may be *be* selected by said company for crossing; thence, by the most practicable and eligible route, to the Pacific. The said company shall have the right to construct a branch from the point at which the road strikes the Canadian River eastwardly, along the most suitable route as selected, to a point in the western boundary line of Arkansas, at or near the town of Van Buren. And the said company is hereby vested with all the powers, privileges, and immunities necessary to carry into effect the purposes of this act, as herein set forth. The capital stock of said company shall consist of one million shares of one hundred dollars each, which shall in all respects be deemed personal property, and shall be transferable in such manner as the laws of said corporation shall provide. The persons hereinbefore named are hereby appointed commissioners, and shall be called the board of commissioners of the "Atlantic and Pacific Railroad Company," and fifteen shall constitute a quorum for the transaction of business. The first meeting of said board of commissioners shall be held at the Turner Hall, in the city of Saint Louis, on the first day of October, anno Domini eighteen hundred and sixty-six, or at such time within three months thereafter as any ten commissioners herein named from Missouri shall appoint, notice of which shall be given by them to the other commissioners by publishing said notice in at least one daily newspaper in the cities of Boston, New York, Cincinnati, Saint Louis, Memphis, and Nashville, once a week for at least four weeks previous to the day of meeting. Said board shall organize by the choice from its number of a president, vice-president, secretary, and treasurer, and they shall require from said treasurer such bonds as may be deemed proper, and may from time to time increase the amount thereof, as they may deem proper. The secretary shall be sworn to the faithful performance of his duties, and such oath shall be entered upon the records of the company, signed by him, and the oath verified thereon. The president and secretary of said boards shall, in like manner, call other meetings, naming the time and place thereof. It shall be the duty of said board of commissioners to open books, or cause books to be opened, at such times and in such principal cities or other places in the United States as they or a quorum of them shall determine, within twelve months after the passage of this act, to receive subscriptions to the capital stock of said corporation, and a cash payment of ten per centum on all subscriptions, and to receipt therefor. So soon as ten thousand shares shall in good faith be subscribed for, and ten dollars per share actually paid into the treasury of the company, the said president and secretary of said board of com-

missioners shall appoint a time and place for the first meeting of the subscribers to the stock of said company, and shall give notice thereof in at least one newspaper in each State in which subscription books have been opened, at least fifteen days previous to the day of meeting, and such subscribers as shall attend the meeting so called, either in person or by lawful proxy, then and there shall elect, by ballot, thirteen directors for said corporation; and in such election each share of said capital stock shall entitle the owner thereof to one vote. The president and secretary of the board of commissioners, and in case of their absence or inability any two of the officers of said board, shall act as inspectors of said election, and shall certify, under their hands, the names of the directors elected at said meeting. And the said commissioners, treasurer, and the secretary shall then deliver over to said directors all the moneys, properties, subscription books, and other books in their possession, and thereupon the duties of said commissioners and the officers previously appointed by them shall cease and determine forever, and thereafter the stockholders shall constitute said body politic and corporate. Annual meetings of the stockholders of the said corporation for the choice of officers (when they are to be chosen), and for the transaction of business, shall be holden at such time and place and upon such notice as may be prescribed in the by-laws.

First meeting of subscribers to stock.

Thirteen directors to be elected by stockholders.

Commissioners to deliver over to the directors all the moneys, properties, books, &c.

Annual meetings of stockholders.

SEC. 2. *And be it further enacted*, That the right of way through the public lands be, and the same is hereby, granted to the said Atlantic and Pacific Railroad Company, its successors and assigns, for the construction of a railroad and telegraph as proposed; and the right, power, and authority is hereby given to said corporation to take from the public lands adjacent to the line of said road material of earth, stone, timber, and so forth, for the construction thereof. Said way is granted to said railroad to the extent of one hundred feet in width on each side of said railroad where it may pass through the public domain, including all necessary grounds for station-buildings, work-shops, depots, machine-shops, switches, side-tracks, turn tables, and water-stations; and the right of way shall be exempt from taxation within the Territories of the United States. The United States shall extinguish, as rapidly as may be consistent with public policy and the welfare of the Indians, and only by their voluntary cession, the Indian title to all lands falling under the operation of this act and acquired in the donation of the road named in the act.

Grant of right of way.

Authority to take from adjacent lands materials for construction.

Right of way 100 feet in width on each side of said railroad.

Right of way exempt from taxation.

Indian titles to be extinguished by the United States.

SEC. 3. *And be it further enacted*, That there be, and hereby is, granted to the Atlantic and Pacific Railroad Company, its successors and assigns, for the purpose of aiding in the construction of said railroad and telegraph line to the Pacific Coast, and to secure the safe and speedy transportation of the mails, troops, munitions of war, and public stores, over the route of said line of railway and its branches, every alternate section of public land, not mineral, designated by odd numbers, to the amount of twenty alternate sections per mile, on each side of said railroad line, as said company may adopt, through the Territories of the United States, and ten alternate sections of land per mile on each side of said railroad whenever it passes through any State, and whenever, on the line thereof, the United States have full title, not reserved, sold, granted, or otherwise appropriated, and free from pre-emption or other claims or rights, at the time the line of said road is designated by a plat thereof, filed in the office of the commissioner of the General Land Office; and whenever, prior to said time, any of said sections or parts of sections shall have been granted, sold, reserved, occupied by homestead settlers, or pre-empted, or otherwise disposed of, other lands shall be selected by said company in lieu thereof, under the direction of the Secretary of the Interior, in alternate sections, and designated by odd numbers, not more than ten miles beyond the limits of said alternate sections, and not including the reserved numbers: *Provided*, That if said route shall be found upon the line of any other railroad route, to aid in the construction of which lands have been heretofore granted by the United States, as far as the routes are upon the same general line, the amount of land heretofore granted shall be deducted from the amount granted by this act: *Provided further*, That the railroad company receiving the previous grant of land may assign their interest to said "Atlantic and Pacific Railroad Company," or may consolidate, confederate, and associate with said company upon the terms named in the first and seventeenth sections of this act: *Provided further*, That all mineral lands be, and the same are hereby, excluded

Grant of lands

Forty sections per mile in the Territories.

Twenty sections per mile in the States.

Other lands may be selected in lieu of those reserved.

Land limits.

If route is upon the line of any other aided road former grant shall be deducted.

Road having previous grant may assign.

"Mineral" lands not granted.

Agricultural lands in lieu of mineral lands.

from the operations of this act, and in lieu thereof a like quantity of unoccupied and unappropriated agricultural lands in odd-numbered sections nearest to the line of said road, and within twenty miles thereof, may be selected as above provided: *And provided further*, That the word "mineral," when it occurs in this act, shall not be held to include iron or coal: *And provided further*, That no money shall be drawn from the Treasury of the United States to aid in the construction of the said "Atlantic and Pacific Railroad."

"Mineral" does not include iron or coal.

SEC. 4. *And be it further enacted*, That whenever said Atlantic and Pacific Railroad Company shall have twenty-five consecutive miles of any portion of said railroad and telegraph line ready for the service contemplated, the President of the United States shall appoint three commissioners to examine the same, who shall be paid a reasonable compensation for their services by the company, to be determined by the Secretary of the Interior; and if it shall appear that twenty-five consecutive miles of said road and telegraph line have been completed in a good, substantial and workman-like manner, as in all other respects required by this act, the commissioners shall so report under oath, to the President of the United States, and patents of lands, as aforesaid, shall be issued to said company, confirming to said company the right and title to said lands situated opposite to and coterminous with said completed section of said road. And from time to time, whenever twenty-five additional consecutive miles shall have been constructed, completed, and in readiness as aforesaid, and verified by said commissioners to the President of the United States, then patents shall be issued to said company conveying the additional sections of land as aforesaid, and so on as fast as every twenty-five miles of said road is completed as aforesaid.

The President to appoint three Commissioners to examine road.

Commissioners to report, *under oath*, to the President.

SEC. 5. *And be it further enacted*, That said Atlantic and Pacific Railroad shall be constructed in a substantial and workman-like manner, with all the necessary draws, culverts, bridges, viaducts, crossings, turn-outs, stations and watering-places, and all other appurtenances, including furniture and rolling-stock, equal in all respects to railroads of the first-class when prepared for business, with rails of the best quality, manufactured from American iron. And a uniform gauge shall be established throughout the entire length of the road. And thereshall be constructed a telegraph line, of the most substantial and approved description, to be operated along the entire line: *Provided*, That the said company shall not charge the Government higher rates than they do individuals for like transportation and telegraphic service. And it shall be the duty of the Atlantic and Pacific Railroad Company to permit any other railroad which shall be authorized to be built by the United States, or by the legislature of any Territory or State in which the same may be situated, to form running connections with it, on fair and equitable terms.

Road to be constructed as a "first-class" railroad.

Rails to be of American iron.

Gauge to be uniform.

Telegraph line.

Condition as to charges for Government transportation and telegraphic service.

Other roads may form running connections on equitable terms.

SEC. 6. *And be it further enacted*, That the President of the United States shall cause the lands to be surveyed for forty miles in width on both sides of the entire line of said road after the general route shall be fixed, and as fast as may be required by the construction of said railroad; and the odd sections of land hereby granted shall not be liable to sale or entry, or pre-emption, before or after they are surveyed, except by said company, as provided in this act; but the provision of the act of September, eighteen hundred and forty-one, granting pre-emption rights, and the act amendatory thereof, and of the act entitled "An act to secure homesteads to actual settlers on the public domain," approved May twenty, eighteen hundred and sixty-two, shall be, and the same are hereby, extended to all other lands on the line of said road when surveyed, excepting those hereby granted to said company.

Lands to be surveyed as fast as construction of road may require.

SEC. 7. *And be it further enacted*, That the said Atlantic and Pacific Railroad Company be, and is hereby, authorized and empowered to enter upon, purchase, take and hold any lands or premises that may be necessary and proper for the construction and working of said road not exceeding in width one hundred feet on each side of the line of its railroad, unless a greater width be required for the purposes of excavation or embankment; and also any lands or premises that may be necessary and proper for turn-outs, standing places for cars, depots, station-houses, or any other structures required in the construction and working of said road. And the said company shall have the right to cut and remove trees and other material that might, by falling, incum-

Authorizes company to take any lands necessary for construction of its road.

100 feet on each side.

Lands for turn-outs, depots, &c.

ber its road-bed, though standing or being more than two hundred feet from the line of said road. And in case the owner of such lands or premises and the said company cannot agree as to the value of the premises taken, or to be taken, for the use of said road, the value thereof shall be determined by the appraisal of three disinterested commissioners, who may be appointed upon application by either party to any court of record in any of the Territories in which the lands or premises to be taken lie; and said commissioners, in their assessment of damages, shall appraise such premises at what would have been the value thereof if the road had not been built. And upon return into court of such appraisement, and upon the payment into the same of the estimated value of the premises taken for the use and benefit of the owner thereof, said premises shall be deemed to be taken by said company, which shall thereby acquire full title to the same for the purposes aforesaid. And either party feeling aggrieved at said appraisement may, within thirty days after the same has been returned into court, file an appeal therefrom, and demand a jury of twelve men to estimate the damage sustained; but such appeal shall not interfere with the rights of said company to enter upon the premises taken, or to do any act necessary and proper in the construction of its road. And said party appealing shall give bonds, with sufficient surety or sureties, for the payment of any cost that may arise upon such appeal; and in case the party appealing does not obtain a verdict more favorable, such party shall pay the whole cost incurred by the appellee, as well as his own, and the payment into court, for the use of the owner of said premises taken, at a sum equal to that finally awarded, shall be held to vest in said company the title of said land, and the right to use and occupy the same for the construction, maintenance, and operation of said road. And in case any of the lands to be taken as aforesaid shall be held by an infant, femme covert, non compos, insane person, or persons residing without the territory within which the lands to be taken lie, or persons subjected to any legal disability, the court may appoint a guardian, for any party under disqualification, to appear in proper person, who shall give bonds, with sufficient surety or sureties, for the proper and faithful execution of his trust, and who may represent in court the person disqualified, as aforesaid, from appearing when the same proceedings shall be had in reference to the appraisement of the premises to be taken for the use of said company, and with the same effect as has been already described: and the title of the company to the lands taken by virtue of this act shall not be affected or impaired by reason of any failure by any guardian to discharge faithfully his trust. And in case any party shall have a right or claim to any land for a term of years, or any interest therein, in posession reversion, or remainder, the value of any such estate, less than a fee simple, shall be estimated and determined in the manner hereinbefore set forth. And in case it shall be necessary for the company to enter upon any lands which are unoccupied, and of which there is no apparent owner or claimant, it may proceed to take and use the same for the purposes of said railroad, and may institute proceedings, in manner described, for the purpose of ascertaining the value of and of acquiring a title to, the same; but the judge of the court hearing said suit shall determine the kinds of notice to be served on such owner or owners, and he may in his discretion appoint an agent or guardian to represent such owner or owners in case of his or their incapacity or non-appearance. But in case no claimant shall appear within six years from the time of the opening of said road across any land, all claims to damages against said company shall be barred.

Damages to be determined by commissioners.

Procedure.

What proceedings in cases of lands held by any persons subject to any legal disability.

Other proceedings.

Proceedings when lands are unoccupied.

Claims barred if not made within six years.

SEC. 8. *And be it further enacted*, That each and every grant, right, and privilege herein are so made and given to and accepted by said Atlantic and Pacific Railroad Company, upon and subject to the following conditions, namely: That the said company shall commence the work on said road within two years from the approval of this act by the President, and shall complete not less than fifty miles per year after the second year, and shall construct, equip, furnish, and complete the main line of the whole road by the fourth day of July, anno Domini eighteen hundred and seventy-eight.

Grants made subject to certain conditions.

Whole road to be completed by July 4, 1878.

SEC. 9. *And be it further enacted*, That the United States make the several conditional grants herein, and that the said Atlantic and Pacific Railroad Company accept the same, upon the further condition that if the said company make any breach of the conditions hereof, and allow

Congress may do anything necessary to insure a speedy completion of the road.

the same to continue for upwards of one year, then, in such case, at any time hereafter, the United States may do any and all acts and things which may be needful and necessary to insure a speedy completion of the said road.

All people of the United States may subscribe to the stock until whole amount is taken up.

SEC. 10. *And be it further enacted*, That all people of the United States shall have the right to subscribe to the stock of the Atlantic and Pacific Railroad Company until the whole capital named in this act of incorporation is taken up by complying with the terms of subscription.

To be a post-route and military road.

SEC. 11. *And be it further enacted*, That said Atlantic and Pacific Railroad, or any part thereof, shall be a post-route and military road, subject to the use of the United States for postal, military, naval, and all other Government service, and also subject to such regulations as Congress may impose restricting the charges for such Government transportation.

Congress may restrict charges for Government transportation.

Company to accept terms, conditions, &c., within two years.

SEC. 12. *And be it further enacted*, That the acceptance of the terms, conditions, and impositions of this act by the said Atlantic and Pacific Railroad Company shall be signified in writing under the corporate seal of said company, duly executed pursuant to the direction of its board of directors first had and obtained, which acceptance shall be made within two years after the passage of this act, and not afterwards, and shall be deposited in the office of the Secretary of the Interior.

Annual report to be verified by affidavits of president and six directors of company.

SEC. 13. *And be it further enacted*, That the directors of said company shall make and publish an annual report of their proceedings and expenditures, verified by the affidavits of the president and at least six of the directors, a copy of which shall be deposited in the office of said Secretary of the Interior, and they shall, from time to time, fix, determine, and regulate the fares, tolls, and charges to be received and paid for transportation of persons and property on said road, or any part thereof.

Election of president and vice-president from board of directors.

Treasurer and secretary.

SEC. 14. *And be it further enacted*, That the directors chosen in pursuance of the first section of this act shall so soon as may be after their election, elect from their own number a president and vice-president; and said board of directors shall, from time to time, and so soon as may be after their election, choose a treasurer and secretary, who shall hold their offices at the will and pleasure of the board of directors. The treasurer and secretary shall give such bonds, with such security as the said board from time to time may require. The secretary shall, before entering upon his duty, be sworn to the faithful discharge thereof, and said oath shall be made a matter of record upon the books of said corporation. No person shall be a director of said company unless he shall be a stockholder, and qualified to vote for directors at the election at which he shall be chosen.

Term of office of president, vice-president, and directors not to exceed three years.

Directors empowered to make by-laws, rules, and regulations.

Directors may fill vacancies in board.

Directors empowered to appoint engineers, agents, &c.

SEC. 15. *And be it further enacted*, That the president, vice-president, and directors shall hold their offices for the period indicated in the by-laws of said company, not exceeding three years, respectively, and until others are chosen in their place, and qualified. In case it shall so happen that an election of directors shall not be made on any day appointed by the by-laws of said company, the corporation shall not for that excuse be deemed to be dissolved, but such election may be holden on any day which shall be appointed by the directors. The directors, of whom seven, including the president, shall be a quorum for the transaction of business, shall have full power to make and prescribe such by-laws, rules, and regulations as they shall deem needful and proper touching the disposition and management of stock, property, estate, and effects of the company, the transfer of shares, the duties and conduct of their officers and servants touching the election and meeting of the directors, and all matters whatsoever which may appertain to the concerns of said company; and the said board of directors may have full power to fill any vacancy or vacancies that may occur from any cause or causes from time to time in their said board. And the said board of directors shall have power to appoint such engineers, agents, and subordinates as may from time to time be necessary to carry into effect the object of the company, and to do all acts and things touching the location and construction of said road.

Directors to require payment of ten per centum, cash assessment, and balance of subscriptions when needed.

SEC. 16. *And be it further enacted*, That it shall be lawful for the directors of said company to require payment of the sum of ten per centum cash assessment upon all subscriptions received of all subscribers, and the balance thereof at such times and in such proportion and on such conditions as they shall deem to be necessary to complete the said road and telegraph lines within the time in this act prescribed. Sixty days'

previous notice shall be given of the payments required, and of the time and place of payment, by publishing a notice once a week in one daily newspaper in each of the cities of Boston, New York, Cincinnati, St. Louis, Memphis, and Nashville, and in case any stockholder shall neglect or refuse to pay, in pursuance of such notice, the stock held by such person shall be forfeited absolutely to the use of the company, and also any payment or payments that shall have been made on account thereof, subject to the condition that the board of directors may allow the redemption on such terms as they may prescribe.

Forfeited stock may be redeemed on terms prescribed by directors.

SEC. 17. *And be it further enacted*, That the said company is authorized to accept to its own use any grant, donation, loan, power, franchise, aid, or assistance which may be granted to or conferred on said company by the Congress of the United States, by the legislature of any State, or by any corporation, person, or persons, or by any Indian tribe or nation through whose reservation the road herein provided for may pass; and said corporation is authorized to hold and enjoy any such grant, donation, loan, power, franchise, aid, or assistance, to its own use, for the purpose aforesaid: *Provided*, That any such grant or donation, power, aid, or assistance from any Indian tribe or nation shall be subject to the approval of the President of the United States.

Company authorized to accept other grants, franchises, &c.

Grant from any Indian tribe to be subject to the approval of the President.

SEC. 18. *And be it further enacted*, That the Southern Pacific Railroad, a company incorporated under the laws of the State of California, is hereby authorized to connect with the said Atlantic and Pacific Railroad, formed under this act, at such point, near the boundary line of the State of California, as they shall deem most suitable for a railroad line to San Francisco, and shall have a uniform gauge and rate of freight or fare with said road; and in consideration thereof, to aid in its construction, shall have similar grants of land, subject to all the conditions and limitations herein provided, and shall be required to construct its road on the like regulations, as to time and manner, with the Atlantic and Pacific Railroad herein provided for.

Southern Pacific may connect with the Atlantic and Pacific Road.

Point of connection to be near the boundary line of California.

Uniform gauge and rate of freight and fare.

Shall have similar grants of land, &c.

SEC. 19. *And be it further enacted*, That unless the said Atlantic and Pacific Railroad Company shall obtain bona fide subscriptions to the stock of said company to the amount of one million of dollars, with ten per centum paid, within two years after the passage of and approval of this act, it shall be null and void.

This act to be null and void, unless one million of dollars of stock are subscribed for within two years.

SEC. 20. *And be it further enacted*, That the better to accomplish the object of this act, namely, to promote the public interest and welfare by the construction of said railroad and telegraph line, and keeping the same in working order, and to secure to the Government at all times, but particularly in time of war, the use and benefits of the same for postal, military, and other purposes, Congress may, at any time, having due regard for the rights of said Atlantic and Pacific Railroad Company, add to, alter, amend, or repeal this act.

Congress may add to, alter, amend, or repeal this act, having due regard for the rights of the company.

SEC. 21.* *And be it further enacted*, That whenever in any grant of land or other subsidies, made or hereafter to be made, to railroads or other corporations, the United States has reserved the right, or shall reserve it, to appoint directors, engineers, commissioners, or other agents to examine said roads, or act in conjunction with other officers of said company or companies, all the costs, charges, and pay of said directors, engineers, commissioners, or agents, shall be paid by the respective companies. Said directors, engineers, commissioners, or agents shall be paid for said services the sum of ten dollars per day, for each and every day actually and necessarily employed, and ten cents per mile for each and every mile actually and necessarily traveled, in discharging the duties required of them, which per diem and mileage shall be in full compensation for said services. And in case any company shall refuse or neglect to make such payments, no more patents for land or other subsidies shall be issued to said company until these requirements are complied with.

Compensation of directors, engineers, commissioners, &c., to be paid by railroad companies.

Ten dollars per day and ten cents per mile.

If company neglects to make such payments, patents for lands not to be issued.

* This section has been incorporated in the Revised Statutes as section 5259.

ACT OF APRIL 20, 1871.

17 Stat., 19. AN ACT to enable the Atlantic and Pacific Railroad Company to mortgage its road.

The Atlantic and Pacific Railroad Company authorized to issue its bonds.

Road, equipment, lands, franchises, &c., may be mortgaged to secure the bonds.

Mortgage to be filed and recorded in the office of the Secretary of the Interior.

Breach of conditions of organic act will affect those claiming under any foreclosures of the mortgage.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Atlantic and Pacific Railroad Company, organized under act of Congress of July twenty-seven, eighteen hundred and sixty-six, is hereby authorized to make and issue its bonds in such form and manner, and for such sums, payable at such times, and bearing such rate of interest, and to dispose of them on such terms as its directors may deem advisable; and to secure said bonds, the said company may mortgage its road, equipment, lands, franchises, privileges, and other rights and property, subject to such terms, conditions, and limitations as its directors may prescribe. As proof and notice of the legal execution and effectual delivery of any mortgage hereafter made by said company, it shall be filed and recorded in the office of the Secretary of the Interior: *Provided*, That if the company shall hereafter suffer any breach of the conditions of the act above referred to, under which it is organized, the rights of those claiming under any mortgage made by the company to the lands granted to it by said act shall extend only to so much thereof as shall be coterminous with or appertaining to that part of said road which shall have been constructed at the time of the foreclosure of said mortgage.

ACT OF JULY 6, 1886.

24 Stat., 123. AN ACT to forfeit the lands granted to the Atlantic and Pacific Railroad Company to aid in the construction of a railroad and telegraph line from the States of Missouri and Arkansas to the Pacific coast, and to restore the same to settlement and for other purposes.

Atlantic and Pacific Railroad Company.

Forfeiture of grant of lands adjacent to uncompleted portion of road, except right of way, etc.

Vol. 14, p. 292.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all the lands, excepting the right of way and the right, power, and authority given to said corporation to take from the public lands adjacent to the line of said road material of earth, stone, timber, and so forth, for the construction thereof, including all necessary grounds for station buildings, workshops, depots, machine-shops, switches, side-tracks, turn-tables, and water-stations, heretofore granted to the Atlantic and Pacific Railroad Company by an act entitled "An act granting lands to aid in the construction of a railroad and telegraph line from the States of Missouri and Arkansas to the Pacic coast," approved July twenty-seventh, eighteen hundred and sixty-six, and subsequent acts and joint resolutions of Congress, which are adjacent to and coterminous with the uncompleted portions of the main line of said road, embraced within both the granted and indemnity limits, as contemplated to be constructed under and by the provisions of the said act of July twenty seventh, eighteen hundred and sixty-six, and acts and joint resolutions subsequent thereto and relating to the construction of said road and telegraph, be and the same are hereby, declared forfeited and restored to the public domain.

LAWS RELATING TO THE CALIFORNIA AND OREGON, AND THE OREGON AND CALIFORNIA RAILROADS.

ACT OF JULY 25, 1866.

14 Stat., 239. AN ACT granting lands to aid in the construction of a railroad and telegraph line from the Central Pacific Railroad, in California, to Portland, in Oregon.

The California and Oregon R. R. Co. of California and an Oregon

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the "California and Oregon Railroad Company," organized under an act of the State of California, to protect certain parties in and to a railroad survey, "to con-

nect Portland, in Oregon, with Marysville, in California," approved April sixth, eighteen hundred and sixty-three, and such company organized under the laws of Oregon as the legislature of said State shall hereafter designate, be, and they are hereby, authorized and empowered to lay out, locate, construct, finish, and maintain a railroad and telegraph line between the city of Portland, in Oregon, and the Central Pacific Railroad, in California, in the manner following, to wit: The said California and Oregon Railroad Company, to construct that part of the said railroad and telegraph within the State of California, beginning at some point (to be selected by said company) on the Central Pacific Railroad in the Sacramento Valley, in the State of California, and running thence northerly, through the Sacramento and Shasta Valleys, to the northern boundary of the State of California; and the said Oregon company to construct that part of the said railroad and telegraph line within the State of Oregon, beginning at the city of Portland, in Oregon, and running thence southerly through the Willamette, Umpqua, and Rogue River valleys to the southern boundary of Oregon, where the same shall connect with the part aforesaid to be made by the first-named company: *Provided*, That the company completing its respective part of the said railroad and telegraph from either of the termini herein named to the line between California and Oregon before the other company shall have likewise arrived at the same line, shall have the right, and the said company is hereby authorized, to continue in constructing the same beyond the line aforesaid, with the consent of the State in which the unfinished part may lie, upon the terms mentioned in this act, until the said parts shall meet and connect, and the whole line of said railroad and telegraph shall be completed.

Company empowered to locate and construct a railroad and telegraph line between Portland, Oreg., and the Central Pacific Railroad in California.

The California company to construct road to northern boundary of State.

The Oregon company to construct the road to the southern boundary of Oregon.

The company first completing its part may continue its road with consent of State.

SEC. 2. *And be it further enacted*, That there be, and hereby is, granted to the said companies, their successors and assigns, for the purpose of aiding in the construction of said railroad and telegraph line, and to secure the safe and speedy transportation of the mails, troops, munitions of war, and public stores over the line of said railroad, every alternate section of public land, not mineral, designated by odd numbers, to the amount of twenty alternate sections per mile (ten on each side) of said railroad line; and when any of said alternate sections or parts of sections shall be found to have been granted, sold, reserved, occupied by homestead settlers, pre-empted, or otherwise disposed of, other lands, designated as aforesaid, shall be selected by said companies in lieu thereof, under the direction of the Secretary of the Interior, in alternate sections designated by odd numbers as aforesaid, nearest to and not more than ten miles beyond the limits of said first-named alternate sections; and as soon as the said companies, or either of them, shall file in the office of the Secretary of the Interior a map of the survey of said railroad, or any portion thereof, not less than sixty continuous miles from either terminus, the Secretary of the Interior shall withdraw from sale public lands herein granted on each side of said railroad, so far as located and within the limits before specified. The lands herein granted shall be applied to the building of said road within the States, respectively, wherein they are situated. And the sections and parts of sections of land which shall remain in the United States within the limits of the aforesaid grant shall not be sold for less than double the minimum price of public lands when sold: *Provided*, That bona fide and actual settlers under the pre-emption laws of the United States may, after due proof of settlement, improvement, and occupation, as now provided by law, purchase the same at the price fixed for said lands at the date of such settlement, improvement, and occupation: *And provided also*, That, settlers under the provisions of the homestead act, who comply with the terms and requirements of said act, shall be entitled, within the limits of said grant, to patents for an amount not exceeding eighty acres of the land so reserved by the United States, anything in this act to the contrary notwithstanding.

Grant of land.

Twenty sections per mile.

If any sections of land have been sold, or are occupied, other lands may be selected in lieu thereof.

Limits, 10 miles beyond grant.

When maps of surveys are filed lands to be withdrawn from sale.

Lands granted to be applied to building road in the States where they lie.

Remaining lands to be sold, for what price.

Settlers under pre-emption laws may purchase, at what price, &c.

Under homestead act may have not over 80 acres.

SEC. 3. *And be it further enacted*, That the right of way through the public lands be, and the same is hereby, granted to said companies for the construction of said railroad and telegraph line; and the right, power, and authority are hereby given to said companies to take from the public lands adjacent to the line of said road, earth, stone, timber, water, and other materials for the construction thereof. Said right of way is granted to said railroad to the extent of one hundred feet in width on each side of said railroad where it may pass over the public lands, including all necessary grounds for stations, buildings, work-

Grant of right of way.

Materials for construction from adjacent lands.

Rights of way 100 feet on each side of said railroad.

Lands for stations, &c.

shops, depots, machine-shops, switches, side-tracks, turn-tables, water stations, or any other structures required in the construction and operating of said road.

The President to appoint 3 commissioners to examine road.

SEC. 4. *And be it further enacted*, That whenever the said companies, or either of them, shall have twenty or more consecutive miles of any portion of said railroad and telegraph line ready for the service contemplated by this act, the President of the United States shall appoint three commissioners, whose compensation shall be paid by said company, to examine the same, and if it shall appear that twenty consecutive miles of railroad and telegraph shall have been completed and equipped in all respects as required by this act, the said commissioners shall so report under oath to the President of the United States, and thereupon patents shall issue to said companies, or either of them, as the case may be, for the lands hereinbefore granted, to the extent of and coterminous with the completed section of said railroad and telegraph line as aforesaid; and from time to time, whenever twenty or more consecutive miles of the said road and telegraph shall be completed and equipped as aforesaid, patents shall in like manner issue upon the report of the said commissioners, and so on until the entire railroad and telegraph authorized by this act shall have been constructed, and the patents of the lands herein granted shall have been issued.

Commissioners to report under oath to the President.

Patents to be issued for lands coterminous with completed railroad.

Condition of grant.

SEC. 5. *And be it further enacted*, That the grants aforesaid are made upon the condition that the said companies shall keep said railroad and telegraph in repair and use, and shall at all times transport the mails upon said railroad, and transmit dispatches by said telegraph line for the Government of the United States, when required so to do by any Department thereof, and that the Government shall at all times have the preference in the use of said railroad and telegraph therefor at fair and reasonable rates of compensation, not to exceed the rates paid by private parties for the same kind of service. And said railroad shall be and remain a public highway for the use of the Government of the United States, free of all toll or other charges upon the transportation of the property or troops of the United States; and the same shall be transported over said road at the cost, charge, and expense of the corporations or companies owning or operating the same, when so required by the Government of the United States.

Fair and reasonable rates of compensation.

Railroad to be a public highway and free to the United States.

Property and troops of the United States to be transported at the cost of the companies when so required by the Government.

Companies to file assent to this act within 1 year.

Road to be completed by July 1, 1875.

SEC. 6. *And be it further enacted*, That the said companies shall file their assent to this act in the Department of the Interior within one year after the passage hereof and shall complete the first section of twenty miles of said railroad and telegraph within two years, and at least twenty miles in each year thereafter, and the whole on or before the first day of July, one thousand eight hundred and seventy-five; and the said railroad shall be of the same gauge as the "Central Pacific Railroad" of California, and be connected therewith.

Gauge to be same as Central Pacific.

Companies to use and operate road as one continuous line.

SEC. 7. *And be it further enacted*, That the said companies named in this act are hereby required to operate and use the portions or parts of said railroad and telegraph mentioned in section one of this act for all purposes of transportation, travel, and communication, so far as the Government and public are concerned, as one connected and continuous line; and in such operation and use to afford and secure to each other equal advantages and facilities as to rates, time, and transportation, without any discrimination whatever, on pain of forfeiting the full amount of damage sustained on account of such discrimination, to be sued for and recovered in any court of the United States, or of any State of competent jurisdiction.

No discrimination whatever.

If companies fail to comply with certain conditions, this act to be void, and the lands not conveyed to revert to the United States.

If road and telegraph line are not kept in repair Congress may, &c.

SEC. 8. *And be it further enacted*, That in case the said companies shall fail to comply with the terms and conditions required, namely, by not filing their assent thereto, as provided in section six of this act, or by not completing the same as provided in said section, this act shall be null and void, and all the lands not conveyed by patent to said company or companies, as the case may be, at the date of any such failure, shall revert to the United States. And in case the said railroad and telegraph line shall not be kept in repair and fit for use, after the same shall have been completed, Congress may pass an act to put the same in repair and use, and may direct the income of said railroad and telegraph line to be thereafter devoted to the United States, to repay all expenditures caused by the default and neglect of said companies or either of them, as the case may be, or may fix pecuniary responsibility, not exceeding the value of the lands granted by this act.

SEC. 9. *And be it further enacted*, That the said "California and Oregon Railroad Company" and the said "Oregon Company" shall be governed by the provisions of the general railroad and telegraph laws of their respective States, as to the construction and management of the said railroad and telegraph line hereinbefore authorized, in all matters not provided for in this act. Wherever the word "company" or "companies" is used in this act it shall be construed to embrace the words "their associates, successors, and assigns," the same as if the words had been inserted, or thereto annexed.

The companies to be governed by the laws of their respective States.

The word "company" to include "associates, successors, and assigns."

SEC. 10. *And be it further enacted*, That all mineral lands shall be excepted from the operations of this act; but where the same shall contain timber, so much of the timber thereon as shall be required to construct said road over such mineral land is hereby granted to said companies: *Provided*, That the term "mineral lands" shall not include lands containing coal and iron.

Mineral lands excepted from this grant.

"Mineral" not coal and iron.

SEC. 11. *And be it further enacted*, That the said companies named in this act shall obtain the consent of the legislatures of their respective States, and be governed by the statutory regulations thereof in all matters pertaining to the right of way, wherever the said road and telegraph line shall not pass over or through the public lands of the United States.

Companies to obtain the consent of States, where road and telegraph line do not pass through public lands.

SEC. 12. *And be it further enacted*, That Congress may at any time, having due regard for the rights of said California and Oregon railroad companies, add to, alter, amend, or repeal this act.

Act may be amended, &c.

ACT OF APRIL 10, 1869.

AN ACT to amend an Act entitled "An act granting Lands to aid in the construction of a Railroad and Telegraph Line from the Central Pacific Railroad, in California, to Portland, in Oregon," approved July twenty-five, eighteen hundred and sixty-six.

16 Stat., 47. 1866, ch. 242, vol. xiv, p. 239.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section six of an act entitled "An act granting lands to aid in the construction of a railroad and telegraph line from the Central Pacific Railroad, in California, to Portland, in Oregon," approved July twenty-five, eighteen hundred and sixty-six, be, and the same is hereby, amended so as to allow any railroad company heretofore designated by the legislature of the State of Oregon, in accordance with the first section of said act, to file its assent to such act in the Department of the Interior within one year from the date of the passage of this act; and such filing of its assent, if done within one year from the passage hereof, shall have the same force and effect to all intents and purposes as if such assent had been filed within one year after the passage of said act: *Provided*, That nothing herein shall impair any rights heretofore acquired by any railroad company under said act, nor shall said act or this amendment be construed to entitle more than one company to a grant of land: *And provided further*, That the lands granted by the act aforesaid shall be sold to actual settlers only, in quantities not greater than one-quarter section to one purchaser, and for a price not exceeding two dollars and fifty cents per acre.

Assent of railroad company to act may be filed within one year from date of this act.

Acquired rights not affected.

Not more than one company entitled to a grant of land.

Lands, how and to whom to be sold.

LAW RELATING TO THE OREGON SHORT-LINE RAILWAY.

ACT OF AUGUST 2, 1882.

AN ACT creating the Oregon Short-Line Railway Company a corporation in the Territories of Utah, Idaho, and Wyoming, and for other purposes.

22 Stat., 185.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Oregon Short-Line Railway Company, a corporation of that name duly incorporated and organized under the laws of the Territory of Wyoming, the amended articles of incorporation of which were duly filed in the office of the secretary of the said Territory on the twelfth day of July, anno Domini eighteen hundred and eighty-one, be, and the same is hereby, made a railway corporation in the Territories of Utah, Idaho, and Wyoming,

Oregon Short-Line Railway Company created a railway corporation in Territories of Utah, Idaho, and Wyoming, with rights, &c.

under the same conditions and limitations and with the same rights and privileges that it now has and enjoys under said articles of incorporation within the said Territory of Wyoming, and with all the rights and privileges within said Territories of Wyoming, Utah, and Idaho, which are secured to railway companies by the act of Congress approved the third day of March, anno Domini eighteen hundred and seventy-five, entitled "An act granting to railroads the right of way through the public lands of the United States": *Provided*, That the said corporation shall at all times hereafter be subject to all the laws and regulations of the United States in relation to railroads, or of any Territory or State through which its line of road may pass. And suits against said corporation may be instituted in the courts of said Territories, or either of them having jurisdiction by the laws of such Territory.

18 Stat., 482. Proviso.

Right to alter, amend, &c.

SEC. 2. That Congress may at any time add to, alter, or repeal this act.

LAW RELATING TO ST. LOUIS, IRON MOUNTAIN AND SOUTHERN RAILROAD.

ACT OF JUNE 28, 1884.

23 Stat., 61.

AN ACT to repeal section one of the act entitled "An act making a grant of lands in alternate sections to aid in the construction and extension of the Iron Mountain Railroad from Pilot Knob, in the State of Missouri, to Helena, in Arkansas," approved July fourth, eighteen hundred and sixty-six, and for other purposes.

14 Stat., 83. Preamble.

Whereas by the first section of an act of Congress approved July the fourth, eighteen hundred and sixty-six, there was granted to the State of Missouri, for the purpose of aiding in the construction and extension of the Iron Mountain Railroad, from its terminus at Pilot Knob to a point on the southern boundary-line of the State, every alternate section of land designated by odd numbers, for ten sections in width on each side of said road; and

Whereas said Iron Mountain Railroad Company, or its successor, did not comply with the terms of said act either in time or by the construction of its line in accordance with the location of its line as shown on its maps filed in the Department of the Interior or otherwise, and never became entitled to or received any of said lands: Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section one of the act of Congress entitled "An act making a grant of lands in alternate sections to aid in the construction and extension of the Iron Mountain Railroad, from Pilot Knob, in the State of Missouri, to Helena, in Arkansas," approved July fourth, Eighteen hundred and sixty-six, be and hereby is repealed; and upon the acceptance by the said Iron Mountain Railroad Company, its successors or assigns, in writing, under corporate seal, within six months from the passage of this act, and upon the production to the Secretary of the Interior by said company, its successors or assigns, of satisfactory proof that said lands have not been sold or encumbered by said company, the said Iron Mountain Railroad Company, its successors or assigns, shall be forever released from any and all obligations imposed by said act of July fourth, eighteen hundred and sixty-six; and all of the lands granted by said section one be and they are hereby restored to the public domain for disposition under the public land laws of the United States: *Provided*, That all pre-emption and homestead entries heretofore allowed upon any of said lands, not in excess of the legal quantity, be, and they are hereby, confirmed: *And provided further*, That all persons residing on any of said lands at the date of the passage of this act shall have a prior right to acquire the same, not exceeding one hundred and sixty acres, by the usual methods and under the usual restrictions: *Provided*, That there shall be excluded from the operation of the release of the obligations as a land grant road herein provided, that part of the railroad between Poplar Bluff, Missouri, and the Arkansas State line.

Repeal of section one of act granting lands to aid in construction of Iron Mountain Railroad.

Release of company; conditions.

Lands restored to the public domain; *proviso*.

LAWS RELATING TO THE TEXAS AND PACIFIC RAILWAY.

ACT OF MARCH 3, 1871.

AN ACT to incorporate the Texas Pacific Railroad Company, and to aid in the Construction of its Road, and for other purposes. 16 Stat., 573.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That John C. Fremont, James L. Alcorn, G. M. Dodge, O. C. French, John D. Caldwell, * * * and all such persons as shall or may be associated with them, and their successors, are hereby created a body politic and corporate in fact and in law, by the name, style, and title of the Texas Pacific Railroad Company, and by that name shall have perpetual succession, and shall be able to sue and be sued, plead and be impleaded, defend and be defended, in all courts of law and equity within the United States, and may make and use a common seal; and the said corporation is hereby authorized and empowered to lay out, locate, construct, furnish, maintain, and enjoy a continuous railroad and telegraph line, with the appurtenances, from a point at or near Marshall, county of Harrison, State of Texas; thence by the most direct and eligible route, to be determined by said company, near the thirty-second parallel of north latitude, to a point at or near El Paso; thence by the most direct and eligible route, to be selected by said company, through New Mexico and Arizona, to a point on the Rio Colorado, at or near the southeastern boundary of the State of California; thence by the most direct and eligible route to San Diego, California, to ship's channel, in the Bay of San Diego, in the State of California, pursuing in the location thereof, as near as may be, the thirty-second parallel of north latitude, and is hereby vested with all the powers, privileges, and immunities necessary to carry into effect the pur[po]ses of this act.

Texas Pacific Railroad Company incorporated.

Name.

Empowered to lay out, construct, and enjoy a continuous railroad and telegraph line from Marshall, Tex., by a route near the 32d parallel of north latitude, via El Paso, through New Mexico and Arizona to San Diego, Cal.

SEC. 2. That the persons named in the first section of this act shall constitute a board of commissioners (twenty of whom shall constitute a quorum for the transaction of business), to be known as the Texas Pacific Railroad commissioners, who shall meet in the city of New York within ninety days after the passage of this act, at a time to be designated in a notice to be signed by the person first named in the list of corporators and six of his associates, and to be published for two weeks in, at least, one daily newspaper in New York, New Orleans, and Washington; and, when so met, they may cause books to be opened for the subscription of the capital stock of said company, and when twenty thousand shares, amounting to two millions of dollars, shall have been subscribed, and ten per centum actually paid thereon, in money, to the treasurer, to be elected by said commissioners, who shall give bond for its safe keeping and payment to the treasurer of the company when organized, then it shall be lawful for such subscribers or stockholders, or a majority thereof, to organize said company in accordance with the provisions of this act, and to elect not less than seven nor more than seventeen directors, a majority of whom shall be necessary to the transaction of business, and who shall hold their offices for one year and until their successors shall be elected and qualified; and the said directors shall immediately proceed to elect a president, vice-president, secretary, and treasurer; the president and vice-president shall be directors. At all elections for directors, each share of stock shall be entitled to one vote, which may be given by the holder in person, or by proxy, who shall also be a shareholder. The directors shall hold their offices for any term not exceeding three years, as may be provided in the by-laws; and the annual meeting of stockholders shall take place as provided for in said by-laws.

Board of commissioners constituted.

To meet in the city of New York.

Subscription books for capital stock to be opened.

Stockholders to organize company, when, &c.

Not less than seven nor more than seventeen directors.

Term of office one year.

Directors to elect officers.

Term of office of directors three years.

Annual meeting of stockholders.

SEC. 3. That the capital stock of the Texas Pacific Railroad Company shall be fixed by the board of directors, at a sum not exceeding fifty millions of dollars, in shares of one hundred dollars; and when the amount is so fixed it shall never be increased except by consent of Congress. Assessments upon said stock shall only be made by a majority vote of the whole number of directors at a regular meeting, which said assessment shall be paid at the expiration of thirty days after a given notice in one newspaper in each of the cities of Washington, Philadelphia, New York, and New Orleans.

Capital stock, $50,000,000.

Stock not to be increased without consent of Congress.

SEC. 4. That the said Texas Pacific Railroad Company shall have power and lawful authority to purchase the stock, land grants, fran-

Authority to purchase property of, and to consolidate with any railroad company not having a competing through line.

chises, and appurtenances of, and consolidate on such terms as i agreed upon between the parties, with any railroad company o panies heretofore chartered by Congressional, State, or Terr authority, on the route prescribed in the first section of this ac no such consolidation shall be with any competing through l railroads to the Pacific Ocean.

Authorized to make running arrangements with other companies

SEC. 5. That the said company shall have power and author make running arrangements with any railroad company or com heretofore chartered, or that may hereafter be chartered by Co sional, State, or Territorial authority; also to purchase lands, accept donations, or grants of lands, or other property, from St individuals, for the purpose of aiding in carrying out the obj this company.

Rights, franchises, &c., of purchased railroads to vest in the Texas Pacific Railroad Company.

Obligations of the other companies to be assumed.

Prior liens not impaired.

SEC. 6. That the rights, lands, land grants, franchises, privileg appurtenances, and property of every description, belonging t of the consolidated or purchased railroad company or compan herein provided, shall vest in and become absolutely the prope the Texas Pacific Railroad Company: *Provided*, That in all con made and entered into by said company with any and all othe road company or companies, to perfect such aforesaid consolidat purchase, the indebtedness or other legal obligations of said co or companies shall be assumed by the said Texas Pacific Ra Company as may be agreed upon, and no such consolidation o chase shall impair any lien which may exist on any of the railro consolidated or purchased; but said company shall not assun debts or obligations of any company with which it may conso or purchase as aforesaid, to an amount greater than the cash va the assets received from the same.

Not to assume debts to a greater amount than the cash value of assets received.

Authority to make and enforce rules and by-laws.

SEC. 7. That the said Texas Pacific Railroad Company shall power to make and enforce rules and by-laws for the election of i cers and the government and management of the business of th pany, and to do and perform all needful and proper things to b and performed to promote the objects of the company hereby in rated, not inconsistent with the laws of the United States and th visions of this charter.

Grant of right of way.

Authorized to take materials from adjacent lands.

Right of way 200 feet in width on each side of said railroad.

Grant of grounds for stations, &c., not exceeding 40 acres in any one point.

SEC. 8. That the right of way through the public lands be, a same is hereby, granted to the said company for the construction said railroad and telegraph line, and the right, power, and autho hereby given to said company to take, from the public lands ad to the line of said road, earth, stone, timber, and other materi the construction thereof. Said right of way is granted to said co to the extent of two hundred feet in width on each side of said ra where it may pass over the public lands; and there is also hereby g to said company grounds for stations, buildings, work-shops, wh switches, side-tracks, turn-tables, water-stations, and such other tures as may be necessary for said railroad, not exceeding forty of land at any one point.

Grant of land.

40 sections per mile in the Territories.

20 sections per mile in California.

If any of the lands have been disposed of other lands may be selected.

Limits, 10 miles beyond the limits of the land grant.

Provision as to lands not obtained by reason of the near approach of the railroad to the Mexican boundary.

"Mineral" not to include iron or coal.

SEC. 9. That for the purpose of aiding in the construction railroad and telegraph line herein provided for, there is hereby g to the said Texas Pacific Railroad Company, its successors and a every alternate section of public lands, not mineral, designated numbers, to the amount of twenty alternate sections per mile o side of said railroad line, as such line may be adopted by said pany, through the Territories of the United States, and ten alt sections of land per mile on each side of said railroad in Calif where the same shall not have *not have* been sold, reserved, or wise disposed of by the United States, and to which a pre-empt homestead claim may not have attached at the time the line o road is definitely fixed. In case any of said lands shall have bee reserved, occupied, or pre-empted, or otherwise disposed of, othe shall be selected in lieu thereof by said company, under the dir of the Secretary of the Interior, in alternate sections, and desig by odd numbers, not more than ten miles beyond the limits o alternate sections first above named, and not including the re numbers. If, in the too near approach of the said railroad line boundary of Mexico, the number of sections of land to which th pany is entitled cannot be selected immediately on the line o railroad, or in lieu of mineral lands excluded from this grant, quantity of unoccupied and unappropriated agricultural lands, i numbered sections nearest the line of said railroad may be selec

above provided; and the word "mineral," where it occurs in this act, shall not be held to include iron or coal: *Provided however*, That no public lands are hereby granted within the State of California further than twenty miles on each side of said road, except to make up deficiencies as aforesaid, and then not to exceed twenty miles from the lands originally granted. The term "ship's channel," as used in this bill, shall not be construed as conveying any greater right to said company to the water front of San Diego Bay than it may acquire by gift, grant, purchase, or otherwise, except the right of way, as herein granted: *And provided further*, That all such lands, so granted by this section to said company, which shall not be sold or otherwise disposed of, as provided in this act within three years after the completion of the entire road, shall be subject to settlement and pre-emption like other lands, at a price to be fixed by and paid to said company, not exceeding an average of two dollars and fifty cents per acre for all the lands herein granted.

Lands granted in California not further than 20 miles from the railroad, except, &c.

"Ship's channel" not to be construed as conveying special right to water front in San Diego Bay.

Lands granted and not sold or otherwise disposed of in three years to be subject to settlement, &c.

SEC. 10. That when the route of said railroad and telegraph line shall pass through the lands of private persons, or where it may be necessary for said railroad company to take any lands belonging to private persons for any of the purposes herein mentioned necessary to said road, such right of way through or title to such lands shall be secured in accordance with the laws of the State or Territory in which they may be situated.

Right of way through lands of private persons to be secured in accordance with law.

SEC. 11. That the Texas Pacific Railroad Company shall have power and authority to issue two kinds of bonds, secured by mortgage, namely: First, construction bonds; second, land bonds. Construction bonds shall be secured by mortgage, first, on all or any portion of the franchises, road-bed, or track of said railroad, and all the appurtenances thereto belonging, when constructed or in the course of construction, from a point at or near Marshall, to ship's channel, in the Bay of San Diego, in the State of California, as aforesaid. Land bonds shall be secured by mortgage, first, on all or any portion of the lands hereby granted in aid of the construction of said railroad as is provided for in this act; second, on lands acquired by any arrangement or purchase or terms of consolidation with any railroad company or companies to whom grants of land may have been made, or may hereafter be made, by any Congressional, State, or Territorial authority, or who may have purchased the same previous to any such arrangement or consolidation: *Provided*, That all the mortgages made and executed by said railroad company shall be filed and recorded in the Department of the Interior, which shall be a sufficient evidence of their legal execution, and shall confer all the rights and property of said company as therein expressed: *And provided also*, That the proceeds of the sales of the aforesaid construction and land bonds shall be applied only in the construction, operation, and equipment of the contemplated railroad line: *And provided further*, That said mortgage shall in no wise impair or affect any lien existing on the property of said company or companies at or before the time of such consolidation.

Corporation authorized to issue construction bonds and land bonds, secured by mortgage.

Mortgage of road and franchises to secure "construction bonds."

Mortgage of grants and acquired lands to secure "land bonds."

All mortgages to be filed and recorded in the Department of the Interior.

Proceeds of sales of bonds to be applied only to construction, operation, and equipment of railroad.

SEC. 12. That whenever the said company shall complete the first and each succeeding section of twenty consecutive miles of said railroad and put it in running order as a first-class road in all its appointments, it shall be the duty of the Secretary of the Interior to cause patents to be issued conveying to said company the number of sections of land opposite to and coterminous with said completed road to which it shall be entitled for each section so completed. Said company, within two years after the passage of this act, shall designate the general route of its said road, as near as may be, and shall file a map of the same in the Department of the Interior; and when the map is so filed, the Secretary of the Interior, immediately thereafter, shall cause the lands within forty miles on each side of said designated route within the Territories, and twenty miles within the State of California, to be withdrawn from pre-emption, private entry, and sale: *Provided, however*, That the provisions of the act of September, eighteen hundred and forty-one, granting pre-emption rights, and the acts amendatory thereof, and of the act entitled, "An act to secure homesteads to actual settlers on the public domain," approved May twenty, eighteen hundred and sixty-two, and the amendments thereto, shall be, and the same are hereby, extended to all other lands of the United States on the line of said road when surveyed, except those hereby granted to said company.

As 20-mile sections of road are completed, patents for coterminous lands shall be issued.

General route to be designated within two years, and map filed.

Lands to be withdrawn from pre-emption, &c.

Provisions of pre-emption and homestead acts extended to other lands.

Annual report, when and where to be made, and to state what.

SEC. 13. That the president of the company shall annually, by the first day of July, make a report and file it with the Secretary of the Interior, which report shall be under oath, exhibiting the financial situation of the company, the amount of money received and expended, and the number of miles of road constructed each year; and further, the names and residences of the stockholders, of the directors, and of all other officers of the company, the amount of stock subscribed, and the amount thereof actually paid in, a description of the lines of road surveyed and fixed upon for construction, the amount received from passengers and for freight, respectively, on the road, a statement of the expenses of said road and its fixtures, and a true statement of the indebtedness of said company and the various kinds thereof.

Certificates of capital stock to be signed by the president and secretary.

Bonds and mortgages.

Bonds and interest payable in gold.

Limitation as to construction bonds, $30,000 per mile.

Land bonds not to exceed $2.50 per acre for all lands mortgaged.

SEC. 14. That the certificates of the capital stock must be signed by the president and secretary, and attested by the seal of the company, and shall contain an extract from the proceedings of the board of directors fixing the amount thereof, as well as from this act, authorizing such issue. All the bonds and mortgages issued by said company must be signed by the president and secretary, and attested by the seal of said company, and shall contain an extract from the law authorizing them to be issued. The face value of said bonds shall be one thousand dollars in gold, and shall be redeemable at such times, and to bear such rate of interest, payable semi-annually in gold, as may be determined by the directors. The total value of the construction bonds to be issued shall not exceed thirty thousand dollars per mile of said railroad, and the total face value of the land bonds shall not exceed two dollars and fifty cents per acre for all lands mortgaged; the total amount of each to be determined by the board of directors.

Other railroad may connect.

No discrimination against any connecting roads.

SEC. 15. That all railroads constructed, or that may be hereafter constructed, to intersect said Texas Pacific Railroad, shall have a right to connect with that line; that no discrimination as regards charges for freight or passengers, or in any other matter, shall be made by said Texas Pacific Railroad Company against any of the said connecting roads; but that the same charges per mile as to passengers, and per ton per mile as to freight, passing from the said Texas Pacific Railroad over any of said connecting roads, or passing from any of said connecting roads over any part of said Texas Pacific Railroad, shall be made by said company as they make for freight and passengers over their own road; *Provided also*, That said connecting roads shall reciprocate as to right of connection and equality of charges with said Texas Pacific Railroad; *And provided further*, That the rates charged for carrying passengers and freight, per mile, shall not exceed the prices which may be fixed by Congress for carrying passengers and freight on the Union Pacific and Central Pacific Railroads.

Rates not to exceed the prices fixed by Congress on the Union and Central Pacific.

Iron or steel rails from American ore.

SEC. 16. That said road shall be constructed of iron or steel rails manufactured from American ore, except such as may have heretofore been contracted for by any railroad company which may be purchased or consolidated with by the company hereby incorporated, as provided by this act.

Corporation to commence construction of road simultaneously at San Diego and Marshall.

Fifty miles to be built within two years.

To be completed in ten years.

Upon failure, Congress may adopt measures necessary to secure speedy completion.

SEC. 17. That the said Texas Pacific Railroad Company shall commence the construction of its road simultaneously at San Diego, in the State of California, and from a point at or near Marshall, Texas, as hereinbefore described, and so prosecute the same as to have at least fifty consecutive miles of railroad from each of said points completed and in running order within two years after the passage of this act, and to so continue to construct each year thereafter a sufficient number of miles to secure the completion of the whole line from the aforesaid point on the eastern boundary of the State of Texas to the Bay of San Diego, in the State of California, as aforesaid, within ten years after the passage of this act; and upon failure to so complete it, Congress may adopt such measures as it may deem necessary and proper to secure its speedy completion.

President to appoint one commissioner to examine sections of twenty miles as completed.

SEC. 18. That the President of the United States, upon the completion of the first section of twenty miles, shall appoint one commissioner, whose duty it shall be to examine the various sections of twenty miles as they shall be completed, and report thereon to him in writing; and if, from such report, he be satisfied that said company has fully completed each section of its road, as in this act provided, he shall direct the Secretary of the Interior to issue patents to said company for the lands it is entitled to under this act, as fast as each section of said road is completed.

SEC. 19. That the Texas Pacific Railroad Company shall be, and it is hereby, declared to be a military and post-road; and for the purpose of insuring the carrying of the mails, troops, munitions of war, supplies, and stores of the United States, no act of the company nor any law of any State or Territory shall impede, delay, or prevent the said company from performing its obligations to the United States in that regard: *Provided*, That said road shall be subject to the use of the United States for postal, military, and all other Governmental services, at fair and reasonable rates of compensation, not to exceed the price paid by private parties for the same kind of service, and the Government shall at all times have the preference in the use of the same for the purpose aforesaid.

Railroad declared to be a military post-road.

Transportation for the United States not to be impeded.

Fair and reasonable rates of compensation.

SEC. 20. That it shall not be lawful for any of the directors, either in their individual capacity or as members of an incorporated or joint stock company, to make any contracts or agreements with the said Texas Pacific Railroad Company for the construction, equipment, or running of its road, or to have any interest therein; and all such contracts or agreements are hereby declared null and void; and all money or property received under such contracts or agreements may be recovered back for the benefit of the company by any stockholder.

No directors to contract for constructing, &c., any part of the road.

SEC. 21. That any railroad company whose route lies across the route of the Texas Pacific Railroad may cross the same, and for the purpose of crossing shall have the right to acquire at the double minimum price all lands, whether of the United States or granted by this act, which shall be needed for a right of way two hundred feet wide through said lands, and for depots, stations, side-tracks, and other needful purposes, not exceeding for such purposes forty acres at any one station.

Railroad companies may cross this road.

Mayhavelands for right of way and for depots at a certain price.

SEC. 22. That the New Orleans, Baton Rouge, and Vicksburg Railroad Company, chartered by the State of Louisiana, shall have the right to connect by the most eligible route to be selected by said company with the said Texas Pacific Railroad at its eastern terminus, and shall have the right of way through the public land to the same extent granted hereby to the said Texas Pacific Railroad Company; and in aid of its construction from New Orleans to Baton Rouge, thence by the way of Alexandria, in said State, to connect with the said Texas Pacific Railroad Company at its eastern terminus, there is is hereby granted to said company, its successors and assigns, the same number of alternate sections of public lands per mile, in the State of Louisiana, as are by this act granted in the State of California, to said Texas Pacific Railroad Company; and said lands shall be withdrawn from the market, selected, and patents issued therefor, and opened for settlement and pre-emption, upon the same terms and in the same manner, and time as is provided for and required from said Texas Pacific Railroad Company, within said State of California: *Provided*, That said company shall complete the whole of said road within five years from the passage of this act.

New Orleans, Baton Rouge and Vicksburg Railroad Company may connect with this road.

Grant of right of way.

Grant of lands, to aid in its construction.

20 sections per mile in the State of Louisiana.

Lands to be withdrawn from markets, etc.

Roads to be completed within five years.

SEC. 23. That, for the purpose of connecting the Texas Pacific Railroad with the city of San Francisco, the Southern Pacific Railroad Company of California is hereby authorized (subject to the laws of California) to construct a line of railroad from a point at or near Tehachapa Pass by way of Los Angeles, to the Texas Pacific Railroad at or near the Colorado River, with the same rights, grants, and privileges, and subject to the same limitations, restrictions, and conditions as were granted to said Southern Pacific Railroad Company of California, by the Act of July twenty-seven, eighteen hundred and sixty-six: *Provided, however*, That this section shall in no way affect or impair the rights, present or prospective, of the Atlantic and Pacific Railroad Company, or any other railroad company.

Southern Pacific Railroad Company may construct a road to connect the Texas Pacific Railroad with San Francisco.

Proviso that right of Atlantic and Pacific Railroad Co. shall be in no way impaired.

ACT OF MAY 2, 1872.

AN ACT supplementary to an act entitled "An act to incorporate the Texas Pacific Railroad Company, and to aid in the Construction of its Road, and for other purposes," approved March third, eighteen hundred and seventy-one.

17 Stat., 59.
1871, ch. 122, vol. xvi, p. 573.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the name, style, and title of the Texas Pacific Railroad Company shall hereafter be "The Texas and Pacific Railway Company;" and the said The Texas and Pacific

Name changed from "Texas Pacific Railr'd Co." to "Texas and Pacific Rail'y Co."

The rights, privileges, and franchises conferred.

Railway Company shall have, possess, and enjoy all the rights, leges, and franchises heretofore conferred upon the said Texas P Railroad Company.

May issue construction and land bonds.

Construction bonds not to exceed $40,000 per mile. (See sec. 14 of prior act.)

Granted lands may be included in the mortgage to secure said construction bonds.

Land bonds, how secured.

SEC. 2. That the said The Texas and Pacific Railroad Company have power and authority to issue the construction and land authorized by the eleventh section of said act of incorporation, fo amounts, not exceeding forty thousand dollars per mile of said ro construction bonds, as said company may deem needful to provi the construction and equipment of its line, and to include in the gage or mortgages to secure said construction bonds all or any po of the lands granted in aid of the construction of said railroad; a the mortgage or mortgages to secure said land bonds, any portion o lands not so used to secure the construction bonds aforesaid; and any portion of the lands acquired by the terms of consolidation fully authorized by the fourth section of said act of March t eighteen hundred and seventy-one, with any railroad company or panies to whom grants of land may have been made, or may here be made, by any Congressional, State, or Territorial authority, o may have purchased the same previous to any such arrangeme consolidation, and within the time limited for the completion o road, and all such lands of every description shall be subject to all tations and conditions now by law existing in relation thereto, a

No land grant revived, enlarged, extended, or created by this act.

modified by this act; and this act shall not be construed to re enlarge, extend, or create any land grant whatever, beyond that he fore granted by Congress, and which shall duly inure to said com upon compliance with the terms of this act in relation to the fixed for completion of said railway, and all such mortgages sha subject to all the conditions and limitations by law existing unde act and the acts to which it is supplementary in respect of such l and shall not be held to vest any title in the mortgage or create an on such lands, other than such company is or may become lawful titled to vest or create thereunder; but the amount of said land b shall not exceed two and a half dollars per acre for all lands co by the mortgage or mortgages securing the same.

Amount of land bonds not to exceed, &c.

Mortgages to be filed, and recorded in the Department of the Interior.

Proceeds of bonds and stock, how only to be paplied.

SEC. 3. That all the mortgages made and executed by said rai company shall be filed and recorded in the Department of the Int which shall be a sufficient evidence of their legal execution: *Pro* That the aforesaid bonds and the authorized capital stock, or the ceeds thereof, shall be applied only for the purpose of securing the struction, operation, and equipment of the contemplated railroad under lawful contracts with such parties, and on such terms and c tions as said company may deem needful, and for the further pu of purchase, consolidation, completion, equipment, and operati the other roads, as contemplated by said act and specified the being a part of the aforesaid railroad line, and for the expenses n sary and incident to the works authorized thereby: *Provided, ho* That said road and its equipment shall be of the standard heret required by the United States Government for the existing P Railway lines; *And provided further*, That said mortgage or mort shall in no wise impair or affect any lien existing on the proper said company or companies at or before the time of such consolid

Standard of road and equipment to be same as required of the existing Pacific Railways.

Prior lines not affected.

The iron or steel rails to be made from American ore, except, &c.

SEC. 4. That said road shall be constructed of iron or steel manufactured from American ore, except such as may have been tracted for before consolidation by any railroad company which be purchased by or consolidated with this company.

Construction of road to be commenced where, and to be continued in what direction.

SEC. 5. That the said Texas and Pacific Railway Company shall mence the construction of its road at or near Marshall, Texas, and ceed with its construction, under the original act and this supple or in pursuance of the authority derived from any consolidati aforesaid, westerly from a point near Marshall, and towards San D in the State of California, on the line authorized by the original

100 consecutive miles to be in running order within two years.

100 miles each year thereafter.

and so prosecute the same as to have at least one hundred consec miles of railroad from said point complete and in running order w two years after the passage of this act; and so continue to const each year thereafter, a sufficient number of miles, not less tha hundred, to secure the completion of the whole line from the afor point on the eastern boundary of the State of Texas to the bay o Diego, in the State of California, as aforesaid, within ten years aft passage of this act; and said road from Marshall, Texas, throu the length thereof, shall be of uniform gauge: *Provided, however,*

the said company shall commence the construction of said road from San Diego eastward within one year from the passage of this act, and construct not less than ten miles before the expiration of the second year, and, after the second year, not less than twenty-five miles per annum in a continuous line thereafter between San Diego and the Colorado River, until the junction is formed with the line from the east at the latter point or east thereof; and upon failure to so complete it, Congress may adopt such measures as it may deem necessary and proper to secure its speedy completion; and it shall also be lawful for said company to commence and prosecute the construction of its line from any other point or points on its line; but nothing in this act contained shall be so construed as to authorize the grant of any additional lands or subsidy, of any nature or kind whatsoever, on the part of the Government of the United States: *Provided*, That said Texas and Pacific Railway Company shall be, and is hereby, authorized and required to construct, maintain, control, and operate a road between Marshall, Texas, and Shreveport, Louisiana, or control and operate any existing road between said points, of the same gauge as the said Texas and Pacific Railroad; and that all roads terminating at Shreveport shall have the right to make the same running connections, and shall be entitled to the same privileges, for the transaction of business in connection with the said Texas and Pacific Railway, as are granted to roads intersecting therewith: *Provided, further*, That nothing herein shall be construed as changing the terminus of said Texas and Pacific Railway from Marshall as provided in the original act.

Time of completion, 10 years from May 2, 1872.

Uniform gauge.

Road from San Diego eastward, when and how to be built.

Upon failure, Congress may adopt measures necessary to secure speedy completion.

Road between Marshall and Shreveport to be controlled and operated by Texas and Pacific.

SEC. 6. That all acts or parts of acts inconsistent with this supplement be, and the same are hereby, repealed.

Repealing clause.

ACT OF MARCH 3, 1873.

AN ACT supplemental to an Act entitled "An Act to incorporate the Texas Pacific Railroad Company, and to aid in the Construction of its Road, and for other Purposes," approved March third, eighteen hundred and seventy-one.

17 Stat., 598. 1871, ch. 122, vol. XVI, p. 573.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the face value of all bonds hereafter issued by the Texas and Pacific Railroad [Railway] Company, under the provisions of an act approved March third, eighteen hundred and seventy-one, shall, at the option of the company, be either in gold, or other lawful money of the United States, bearing interest, at like option of the company, either in gold or other lawful money of the United States; and any mortgage heretofore executed by said company, securing bonds payable in any lawful money of the United States other than gold, and the bonds recited therein, and to secure which, said mortgage was given, are hereby legalized, and said mortgage and bonds shall have the same effect as though they had been authorized by the act to which this is a supplement. *Provided*, That in all respects the requirements of that law in regard to such mortgage and bonds have been fully complied with.

Face value of bonds hereafter issued by Texas and Pacific Railway Company may be in gold or other lawful money.

Former mortgages legalized if other requirements of law have been complied with.

ACT OF JUNE 22, 1874.

AN ACT supplementary to an act entitled "An act to incorporate the Texas Pacific Railroad Company, and to aid in the construction of its road, and for other purposes."

13 Stat., 197. 1871, ch. 122, vol. XIV, pp. 573, 579.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Texas and Pacific Railway Company is hereby empowered to secure, by one or more mortgages upon the whole or any portion of its line, the construction-bonds heretofore authorized to be issued, and to cancel the mortgage now on record with the Secretary of the Interior so far as the same can be done without prejudice to existing rights, and to substitute therefor the mortgage or mortgages hereby authorized, which substituted mortgages shall expressly reserve all rights which may have been acquired under the existing mortgage: *Provided*, That the aggregate of the said

Texas and Pacific Railway Company authorized to secure construction bonds by new mortgages.

To cancel mortgage on record with Secretary of the Interior.

To substitute mortgages authorized by this act.

Limit heretofore fixed not to be exceeded.

What new mortgages shall embrace.

Consolidated roads, how to be deemed.

No other or further rights granted.

bonds to be issued under and secured by said mortgage or mortgages shall not exceed the limits heretofore fixed by Congress; and said mortgages for the division east of Fort Worth shall embrace the roads and property of the Southern Pacific Railroad Company and of the Southern Trans-continental Railway Company, heretofore merged in and consolidated with the said Texas and Pacific Railway Company under the authority and requirements of the laws of the State of Texas, and which roads so merged as aforesaid shall for that and all other purposes be deemed and taken to be a part of the said Texas and Pacific Railway, and shall hereafter be subject to all the provisions and limitations of the act of Congress incorporating said company and of the supplements thereto: *And provided further*, That nothing in this act shall be construed or have the effect to entitle said corporation to any other or further rights to public lands, or in any other respect as against the United States, than such as by law it is now entitled to.

APPENDIX B.

Syllabi of decisions of the United States Supreme Court in cases affecting the bond-aided Pacific railroad companies and to which the United States are parties.

No. 1. The United States *v.* The Union Pacific Railroad Company. (91 U. S., 72.)

INTEREST.

Suit brought to determine whether the company is required to pay the interest before the maturity of the principal of the bonds.

Held, that "such was *not* the intention of Congress."

No. 2. The Union Pacific Railroad Company *v.* Hall *et al.* (91 U. S., 343.)

EASTERN TERMINUS OF THE UNION PACIFIC RAILROAD.

Suit brought to determine the initial point of the Iowa Branch of the Union Pacific Railroad.

Held, that "the legal terminus of the railroad is fixed by law on the Iowa shore of the Missouri River; that the bridge is a part of the road, and the company is under obligation to operate and run the whole road, including the bridge, as one connected and continuous line."

No. 3. The United States *v.* The Union Pacific Railroad Company. (98 U. S., 569.)

CREDIT MOBILIER CASE.

Held, that "no case for relief is made by the bill, and the decree of the court below dismissing it is affirmed."

No. 4. The Union Pacific Railroad Company *v.* The United States. (99 U. S., 402.)

Case in some respects supplemental to that of "United States *v.* Union Pacific Railroad Company." (No. 1.)

Questions determined are—

(1) Date of completion of road—"November 6, 1869."

(2) What is included in net earnings?—"These earnings must be regarded as embracing all the earnings and income derived by the company from the railroad proper and all the appendages and appurtenances thereof, including its ferry and bridge at Omaha, its cars, and all its property and apparatus legitimately connected with its railroad. If * * * it should be found that the net earnings in any one year were not more than sufficient to pay the interest on the first-mortgage bonds accruing in said year, then the company will not be decreed to pay any portion of the said 5 per cent of net earnings for that year. But if the net earnings were more than sufficient to pay said interest, the excess will be subject, so far as it will go, to the payment of said 5 per cent; but the company will not be decreed to pay any more than said excess."

No. 5. The United States *v.* The Central Pacific Railroad Company. (99 U. S., 449.)

"This case, in all material respects, involves the same questions as Union Pacific Railroad Company *v.* United States" (No. 4).

Completion of road fixed as of the same date as the Union Pacific Railroad (November 6, 1869).

No. 6. The United States *v.* The Kansas Pacific Railway Company. (99 U. S., 455.)

Same as foregoing. Alleged date of completion of road, November 6, 1869.

Held, that the subsidy bonds granted only in respect of the original road terminating at the one-hundredth meridian, are a lien on that portion only, and that the 5 per cent of the net earnings is only demandable on the net earnings of said portion ($393\frac{16}{66}$ miles).

No. 7. The United States *v.* The Denver Pacific Railway and Telegraph Company. (99 U. S., 460.)

Suit brought to recover 5 per cent of net earnings upon the whole line of the Kansas Pacific, including the branch from Denver to Cheyenne.

Held, that neither the company nor its railroad or property is liable in any way for the payment of any debt incurred for such bonds received by the Kansas Pacific Railroad Company.

No. 8. The United States *v.* The Sioux City and Pacific Railroad Company. (99 U. S., 491.)

Suit brought to recover 5 per cent of net earnings.

Held, that if the amount of net earnings is insufficient to pay the interest on the company's first-mortgage bonds, the Government can not claim the 5 per cent which would otherwise be applicable to its subsidy. (See decision in Union Pacific Railroad Company *v.* United States, No. 4.)

No. 9. The Union Pacific Railroad Company *v.* The United States. (99 U. S., 700.)

Constitutionality of sinking-fund act affirmed.

No. 10. The Union Pacific Railroad Company *v.* The United States. (104 U. S., 662.)

Action brought to recover compensation for services in carrying the mails and employés. United States sets up counterclaim for 5 per cent of net earnings.

Held, The sixth section of the act of Congress of July 1, 1862, chapter 120, incorporating the Union Pacific Railroad Company (12 Stat., 489), constitutes a contract between the United States and the company, whereunder the latter, for its service in transporting upon its road, from January 1, 1876, to October 1, 1877, the mails, and the agents and clerks employed in connection therewith, is entitled to compensation at fair and reasonable rates, not to exceed those paid by private parties for the same kind of service.

(2) The contract is not affected by the sections of the Revised Statutes declaring that the Postmaster-General may fix the rate for such service when performed by railroad companies to which Congress granted aid, and he had no authority to insist that it was not binding upon the United States.

(3) The company, having been required to perform the contract, lost no rights by a compliance therewith, as it protested against and rejected all illegal conditions attached to the requirement.

No. 11. Western Pacific Railroad Company *v.* The United States. (108 U. S., 510.)

PUBLIC LANDS.

In a suit brought by a district attorney of the United States to set aside a patent conveying public lands, objection was taken in this court that it does not sufficiently appear that the suit was brought under authority from the Attorney-General: *Held*, that, "the objection not having been taken below, the fact of such authority could be inquired into and shown here."

On the evidence it appeared that the lands in question were mineral lands, and were known to be such by the applicant for the patent and agent for the railroad company at the time of the application. The patent was set aside.

No. 12. The Sioux City and Pacific Railroad Company *v.* The United States. (110 U. S., 205.)

Suit to recover an internal-revenue tax on the undivided net earnings of the plaintiff's railroad.

Held, that "in a suit to collect an internal-revenue tax on the undivided net earnings of the road, carried to a fund or to construction account, the plaintiff was not

entitled to have the interest upon these bonds deducted from its net earnings before settling the amount to be subject to the tax; but that the amount of that interest, if earned and carried to a fund or charged to construction, was taxable."

No. 13. The Union Pacific Railway Company *v.* The United States. (116 U. S., 154.)

Suit brought to recover for transportation of the mails in accordance with the requirements of the company's charter.

Held, That "case presents no question of law, and the motion is denied."

No. 14. The Union Pacific Railway Company *v.* The United States. (117 U. S., 355.)

Controversy as to what are "fair and reasonable rates of compensation" which are required to be charged the United States for the transportation over the defendant's railroad of mails, troops, supplies, etc., by section 6 of act of July 1, 1862.

Held, That "the amount claimed by the Treasury Department as fair and reasonable was proper. Also, that the rates of transportation by the Union Pacific Railway Company for the United States govern transportation over bridge between Council Bluffs and Omaha."

No. 15. The United States *v.* The Central Pacific Railroad Company. (118 U. S., 235.)

Suit brought to recover compensation for services rendered the United States in transporting persons and freight over those parts of its railroad in the building of which it had not been aided by the Government. The United States demurred. The demurrer was overruled and judgment rendered in favor of the claimant. The United States appealed.

Held, That "compensation is limited to services rendered by the aided roads. The construction of the second section of the act of May 7, 1878, contended for by the appellee is, therefore, right." Judgment affirmed.

No. 16. The United States *v.* The Central Pacific Railroad Company. (138 U. S., 84.)

NEW CONSTRUCTION.

Held, That "the sums expended by the Central Pacific Railroad Company for betterments and improvements on its road, its buildings, and equipments, whereby the capital of the company invested in its works is increased in permanent value, are not to be regarded as part of its current expenses to be deducted from its gross receipts in reaching and determining the amount of the net earnings upon which a percentage is to be paid to the United States."

This case is distinguished from the case of Union Pacific Railroad Company *v.* United States. (No. 4.)

No. 17. The United States *v.* The Union Pacific Railway Company. (148 U. S., 562.)

PUBLIC LANDS.

This case arose upon demurrers and a plea to a bill in equity filed by the United States against the Union Pacific Railway Company and one hundred and seventy-three other corporations and individuals, to procure the surrender and cancellation of certain land patents issued to the Kansas Pacific Railway and the Denver Pacific Railway and Telegraph Company, and for a decree declaring all conveyances of such lands clouds upon the title of the United States.

Held, That "the right conferred by the act of July 1, 1862, as subsequently amended, upon the corporation afterwards known as the Union Pacific Railway Company, eastern division, to construct its road substantially in a direct line to Denver, and from thence northerly, to connect with the Union Pacific Railroad at Cheyenne, and to acquire a grant of public lands thereby upon each side of its railroad as constructed, was not affected by the act of March 3, 1869, in such a way as to make the Union Pacific, eastern division, terminate at Denver, and to cause its land grants to terminate there; but on the contrary, the act of 1862 being a grant *in præsenti*, the company's right to lands upon each side of its road became fixed from the moment it proceeded, under the act of 1866, to establish its line of definite location so as to make the same extend from Kansas City westwardly to Denver, and thence northwardly to Cheyenne, and the act of 1869 is not to be construed as breaking the continuity of the line.

If there were any doubt with regard to the interpretation of the act of 1869, the construction placed upon it by the Land Department for eighteen years, under which lands have been put upon the market and sold, would be entitled to considerable weight."

APPENDIX C.

GOVERNMENT DIRECTORS OF THE UNION PACIFIC RAILWAY COMPANY APPOINTED BY THE PRESIDENT OF THE UNITED STATES.

Anderson, E. Ellery.....10 Wall street, New York.
Coombs, William J.....Brooklyn, N. Y.
Doane, J. W.....61 Wabash avenue, Chicago, Ill.
Lee, Fitzhugh.....Glasgow, Va.
Patrick, J. Nelson H.....Omaha, Nebr.

NOTE.—The terms of office of Government directors are the same as the terms of office of the directors elected by the stockholders of the company, to wit, one year; the time fixed by the latter for holding the annual meetings being the last Wednesday in April of each year.

The meetings of the board of directors are held quarterly, and the meetings of the executive committee are held monthly, usually in Boston or New York.

The compensation of a Government director is $10 per day for each day actually employed, and mileage from residence to place of meeting and return at the rate of 10 cents per mile each way. This compensation is paid by the railway company.

TABLE NO. 1.—*Amount of bonds issued in aid of Pacific railroads, the interest paid thereon by the United States, and the amounts repaid by the several companies to June 30, 1895.*

	Union Pacific, including Kansas Pacific.	Central Pacific, including Western Pacific.	Sioux City and Pacific.	Central Branch Union Pacific.	Total.
Principal of bonds issued	$33,539,512.00	$27,855,680.00	$1,628,320.00	$1,600,000.00	$64,623,512.00
Interest paid by United States	55,235,632.14	45,111,858.14	2,636,687.89	2,701,808.26	105,685,986.43
Total debt	88,775,144.14	72,967,538.14	4,265,007.89	4,301,808.26	170,309,498.43
CREDITS.					
Applied to bond and interest account:					
Transportation	19,257,521.83	7,362,697.38	231,938.23	625,792.26	27,477,949.70
Cash	438,409.58	658,283.26	.....	6,926.91	1,103,619.75
Applied to sinking-fund account:					
Transportation	10,958,843.73	4,413,011.03	.....	.....	15,371,854.76
Cash	1,421,714.46	633,992.48	.....	.....	2,055,706.94
Interest on sinking-fund investments	4,698,993.47	2,165,371.72	.....	.....	6,864,365.19
Total	36,775,483.07	15,233,355.87	231,938.23	632,719.17	52,873,496.34
Balance of debt	51,999,661.07	57,734,182.27	4,033,069.66	3,669,089.09	117,436,002.09
Excess of interest paid by United States over all credits	18,460,149.07	29,878,502.27	2,404,749.66	2,069,089.09	52,812,490.09

provisions of section 3 of the act of May 7, 1878, as amended by section 5 of the act of March 3, 1887.

Character of bonds.	Purchased.			Redeemed, sold, and exchanged.			Interest on investment.	Amount realized.	Present principal on hand June 30, 1895.
	Principal.	Premium.	Total.	Principal.	Premium.	Total.			
Union Pacific.									
Funded loan of 1881, 5 percents extended, at 3 per cent	$256,450	$9,481.12	$265,931.12	$256,450	.....	$256,450.00	$74,241.91	$64,760.79	.....
Funded loan of 1882, at 3 per cent	1,620,000	48,925.00	1,668,925.00	1,620,000	.....	1,620,000.00	65,455.07	16,530.07	.....
Funded loan of 1907, at 4 per cent	4,478,650	1,017,781.94	5,496,431.94	4,478,650	$934,099.73	5,412,749.73	994,642.14	910,959.93	.....
United States registered currency sixes	1,117,000	342,827.90	1,459,827.90	1,043,000	163,355.21	1,206,355.21	444,570.00	.....	$74,000
First mortgage of prior lien to United States	13,345,500	1,641,767.63	14,987,267.63	.....	.....	.....	3,088,350.00	.....	*a* 13,345,500
United States 5 percents, 1904, registered	235,750	41,738.92	277,488.92	.....	.....	.....	14,734.35	.....	235,750
United States 5 percents, 1904, coupon	680,000	113,594.00	793,594.00	.....	.....	.....	17,000.00	.....	680,000
Expressage commissions, etc	.....	1,033.30	1,033.30	.....	.....	.....	.....	.....	.....
Total	21,733,350	3,217,149.81	24,950,499.81	7,398,100	1,097,454.94	8,495,554.94	4,698,993.47	992,250.79	14,335,250
Central Pacific.									
Funded loan of 1881, 5 percents extended, at 3 per cent	736,700	17,643.83	754,343.83	736,700	.....	736,700.00	102,863.72	45,043.83	.....
Funded loan of 1882, at 3 per cent	1,220,000	39,400.00	1,259,400.00	1,220,000	.....	1,220,000.00			
Funded loan of 1907, at 4 per cent	199,100	15,484.90	214,584.90	199,100	54,752.50	253,852.50	53,733.00	83,000.60	.....
United States registered currency sixes	2,622,000	880,767.30	3,502,767.30	447,000	59,090.11	506,090.11	1,317,620.00	.....	2,175,000
First mortgage of prior lien to United States	3,261,000	369,305.73	3,630,305.73	.....	.....	.....	690,790.00	.....	*b* 3,261,000
United States 5 percents, 1904, coupon	125,000	20,883.50	145,883.50	.....	.....	.....	3,125.00	.....	125,000
Expressage, commissions, etc	.....	292.75	292.75	.....	.....	.....	.....	.....	.....
Total	8,163,800	1,343,778.01	9,507,578.01	2,602,800	113,842.61	2,716,642.61	2,168,131.72	128,044.43	5,561,000

a Interest due and defaulted, $590,820.

b Interest due and defaulted, $93,270.

TABLE No. 3.—*Statement of account between the Union Pacific Railway Company and the United States under the provisions of the Thurman Act and the act of 1864 from July 1, 1878, to December 31, 1894.*

REQUIREMENTS.

Period.	Union Division.							Kansas Division.			
	Bond and interest account.			Sinking fund.							
	One-half transportation services on aided line.	5 per cent of net earnings.	Total.	One-half transportation services on aided line.	Cash payment to equal 25 per cent of net earnings (act of May 7, 1878).	Total.	Requirement, Union Division.	One-half transportation services on aided line.	5 per cent of net earnings.	Total.	Aggregate requirement.
6 months ended Dec. 31, 1878	$240,139.40	$181,462.34	$421,601.74	$240,139.40	$244,688.26	$484,827.66	$906,429.40	.....	.....	.....	$906,429.40
Calendar year—											
1879	471,464.97	294,282.77	765,747.74	471,464.97	230,560.37	702,025.34	1,467,773.08	.....	.....	.....	1,467,773.08
1880	513,010.45	364,208.30	877,218.75	513,010.45	430,424.02	943,434.47	1,820,653.22	$64,548.38	$71,670.64	$136,219.02	1,956,872.24
1881	499,746.65	364,398.29	864,144.94	499,746.66	462,403.38	962,150.04	1,826,294.98	64,879.99	77,691.23	142,571.22	1,968,866.20
1882	460,878.78	406,176.49	867,055.27	460,878.79	704,377.49	1,165,256.28	2,032,311.55	57,457.13	60,884.25	118,341.38	2,150,652.93
1883	480,251.23	361,891.59	842,142.82	480,251.24	487,063.94	967,315.18	1,809,458.00	40,814.33	48,407.43	89,221.76	1,898,679.76
1884	382,779.82	245,771.35	628,551.17	382,779.83	217,525.77	600,305.60	1,228,856.77	50,508.15	57,443.78	107,951.93	1,336,808.70
1885	337,323.09	229,567.51	566,890.60	337,323.09	243,623.89	580,946.98	1,147,837.58	46,832.36	94,186.89	141,019.25	1,288,856.83
1886	340,174.13	186,729.43	526,903.56	340,174.14	55,783.56	395,957.70	922,861.26	42,728.30	87,186.05	129,914.35	1,052,775.61
1887	313,963.48	236,001.81	549,965.29	313,963.48	316,080.32	630,043.80	1,180,009.09	45,012.70	102,635.20	147,647.90	1,327,656.99
1888	338,402.72	228,719.75	567,122.47	338,402.71	238,073.60	576,476.31	1,143,598.78	48,150.48	67,069.18	115,219.66	1,258,818.44
1889	317,700.73	250,208.35	567,909.08	317,700.73	365,431.99	683,132.72	1,251,041.80	51,506.62	39,667.30	91,173.92	1,342,215.72
1890	439,624.95	199,298.67	638,923.62	439,624.95	.....	439,624.95	1,078,548.57	51,904.60	38,723.66	90,628.26	1,169,176.83
1891	496,377.04	228,254.73	724,631.77	496,377.04	.....	496,377.04	1,221,008.81	60,388.98	61,180.34	121,569.32	1,342,578.13
1892	500,313.02	247,281.26	747,594.28	500,313.03	.....	500,313.03	1,247,907.31	61,689.07	75,063.02	136,752.09	1,384,659.40
1893	485,709.30	176,925.48	662,634.78	485,709.30	.....	485,709.30	1,148,344.08	58,287.19	40,132.95	98,420.14	1,246,764.22
1894	537,455.90	98,682.32	636,138.22	537,455.91	.....	537,455.91	1,173,594.13	65,590.31	30,464.48	96,054.79	1,269,648.92
Total	7,155,315.66	4,299,860.44	11,455,176.10	7,155,315.72	3,996,036.59	11,151,352.31	22,606,528.41	810,298.59	952,406.40	1,762,704.99	24,369,233.40
Less credits											23,984,626.14
Amount due the United States											384,607.26

TABLE No. 3.—*Statement of account between the Union Pacific Railway Company and the United States, etc.*—Continued.

CREDIT.

Period.	Bond and interest account.			Sinking fund account.		
	Union Division.		Kansas Division, transportation services rendered.	Union Division.		Total.
	Transportation services rendered.	Cash payments on account of 5 per cent.		Transportation services rendered.	Cash payments on account of 5 per cent.	
6 months ended Dec. 31, 1878	$292,343.91	.....	$212,153.47	$62,578.45	.....	$567,075.83
Calendar year—						
1879	1,276,520.11	.....	625,425.99	200,722.61	.....	2,102,668.71
1880	571,201.85	.....	122,614.44	414,157.76	.....	1,117,974.05
1881	234,357.88	.....	122,565.19	221,372.58	.....	578,295.65
1882	588,694.15	.....	193,040.21	541,064.33	.....	1,322,798.69
1883	706,149.97	.....	236,593.89	684,109.60	.....	1,626,853.46
1884	973,710.79	.....	152,998.74	1,416,966.27	$788,173.43	3,331,849.23
1885	334,508.41	$283,162.90	152,213.11	726,392.75	633,541.03	2,129,818.29
1886	345,474.44	155,246.50	106,870.49	659,838.32	.....	1,267,429.84
1887	348,000.24	.....	96,479.88	717,546.01	.....	1,162,026.13
1888	324,537.79	.....	94,379.16	693,404.63	.....	1,112,321.58
1889	333,311.57	.....	93,424.74	727,755.77	.....	1,154,492.08
1890	379,418.33	.....	103,808.52	643,691.85	.....	1,126,918.70
1891	455,440.56	.....	114,168.72	661,392.66	.....	1,231,001.94
1892	551,101.77	.....	131,009.94	786,896.31	.....	1,469,008.02
1893	479,400.81	.....	115,908.22	735,777.43	.....	1,331,086.46
1894	539,515.79	.....	106,009.18	707,482.51	.....	1,353,007.48
Total	8,733,688.37	438,409.58	2,789,663.89	10,601,149.84	1,421,714.46	23,984,626.14

RECAPITULATION.

Bond and interest account.

DR.		
Union Division, requirements under Thurman Act	$11,455,176.10	
Kansas Division, requirements under act of 1864	1,762,704.99	
		$13,217,881.09
CR.		
Union Division, transportation services rendered to Dec. 31, 1894	8,733,688.37	
Union Division, cash payments on account of 5 per cent of net earnings	438,409.58	
Kansas Division, transportation services rendered to Dec. 31, 1894	2,789,663.89	
		11,961,761.84
Balance in favor of the United States		1,256,119.25

Sinking fund account.

DR.		
Union Division, requirements under Thurman Act		11,151,352.31
CR.		
Union Division, transportation services rendered to Dec. 31, 1894	10,601,149.84	
Union Division, cash payments on account of 5 per cent of net earnings	1,421,714.46	
		12,022,864.30
Balance in favor of the company		871,511.99
Difference, being amount due the United States		384,607.26

TABLE NO. 4.—*Statement of account between the Central Pacific Railroad Company and the United States, under the provisions of the Thurman Act and the act of 1864, from July 1, 1878, to December 31, 1894.*

REQUIREMENTS.

Period.	Bond and interest account.			Sinking fund.			Aggregate requirement.
	One-half transportation services on aided line.	5 per cent of net earnings.	Total.	One-half transportation services on aided line.	Cash payment to equal 25 per cent of net earnings (act of May 7, 1878).	Total.	
Six months ended Dec. 31, 1878	$123,852.02	$107,258.38	$231,110.40	$123,852.02	$181,329.51	$305,181.53	$536,291.93
Calendar year—							
1879	226,378.36	179,912.78	406,291.14	226,378.36	266,894.42	493,272.78	899,563.92
1880	220,943.61	207,445.06	428,388.67	220,943.62	387,892.99	608,836.61	1,037,225.28
1881	216,334.21	207,787.05	424,121.26	216,334.22	398,479.76	614,813.98	1,038,935.24
1882	201,877.13	158,584.05	360,461.18	201,877.13	230,581.93	432,459.06	792,920.24
1883	201,620.63	132,306.14	333,926.77	201,620.63	125,983.29	327,603.92	661,530.69
1884	239,112.60	60,626.32	299,738.92	239,112.60	.....	229,112.60	538,851.52
1885	171,470.69	55,547.64	227,018.33	171,470.70	.....	171,470.70	398,489.03
1886	172,347.22	74,808.69	247,155.91	172,347.23	.....	172,347.23	419,503.14
1887	171,166.94	93,521.48	264,688.42	171,166.94	31,752.08	202,919.02	467,607.44
1888	194,999.97	94,452.22	289,452.19	194,999.98	.....	194,999.98	484,452.17
1889	196,393.38	73,512.38	269,905.76	196,393.38	.....	196,393.38	466,299.14
1890	243,438.69	50,643.05	294,081.74	243,438.70	.....	243,438.70	537,520.44
1891	253,785.25	105,945.76	359,731.01	253,785.26	.....	253,785.26	613,516.27
1892	249,801.78	77,444.77	327,246.55	249,801.78	.....	249,801.78	577,048.33
1893	255,114.02	74,547.14	329,661.16	255,114.02	.....	255,114.02	584,775.18
1894	273,667.07	52,366.75	326,033.82	273,667.08	.....	273,667.08	599,700.90
Total	3,612,303.57	1,806,709.66	5,419,013.23	3,612,303.65	1,622,913.98	5,235,217.63	10,654,230.86
Less credits as below							10,407,454.59
Balance due the United States							246,776.27

CREDITS.

Period.	Bond and interest account.		Sinking fund.		Total.
	Transportation services rendered.	Cash payments on account of 5 per cent.	Transportation services rendered.	Cash payments on account of 5 per cent.	
Six months ended Dec. 31, 1878	$173,083.32	.....	$38,587.26	.....	$211,670.58
Calendar year—					
1879	387,120.88	$648,271.96	161,343.24	$181,329.51	1,378,065.59
1880	454,153.11	.....	297,442.84	229,076.32	980,672.27
1881	242,903.66	.....	223,307.81	144,436.74	610,648.21
1882	616,283.48	.....	576,833.06	79,149.91	1,272,266.45
1883	534,969.81	.....	514,565.37	.....	1,049,535.18
1884	228,537.11	.....	228,313.33	.....	456,850.44
1885	243,540.14	.....	243,540.19	.....	487,080.33
1886	168,468.38	10,011.30	168,468.38	.....	346,948.06
1887	182,213.40	.....	182,213.45	.....	364,426.85
1888	201,034.26	.....	201,034.20	.....	402,068.46
1889	183,072.28	.....	183,072.15	.....	366,144.43
1890	217,318.94	.....	217,318.87	.....	434,637.81
1891	90,540.52	.....	90,540.28	.....	181,080.80
1892	416,018.32	.....	416,018.36	.....	832,036.68
1893	258,727.62	.....	258,727.54	.....	517,455.16
1894	257,933.86	.....	257,933.43	.....	515,867.29
Total	4,855,919.00	658,283.26	4,259,259.76	633,992.48	10,407,454.59

TABLE NO. 4.—*Statement of account between the Central Pacific Railroad Company and the United States, etc.*—Continued.

RECAPITULATION.

Bond and interest account.

DR.		
Requirement under Thurman Act		$5,419,013.23
CR.		
Transportation services rendered to December 31, 1894	$4,855,919.09	
Cash payments on account of 5 per cent of net earnings	658,283.26	
		5,514,202.35
Balance in favor of company		95,189.12

Sinking-fund account.

DR.		
Requirement under Thurman Act		5,235,217.63
CR.		
Transportation services rendered to December 31, 1894	4,259,259.76	
Cash payments on account of 5 per cent of net earnings	633,992.48	
		4,893,252.24
Balance in favor of the United States		341,965.39
Balance in favor of company (bond and interest account above)		95,189.12
Difference, being amount due the United States		246,776.27

TABLE NO. 5.—*Statement of account between the Central Branch Union Pacific Railroad Company and the United States, under the acts of 1862 and 1864, to December 31, 1894.*

Period.	Requirements.			Credits.			Difference.	
	One-half transportation services on aided line.	5 per cent of net earnings.	Total.	Transportation services rendered.	Cash payment on account of 5 per cent.	Total.	Debit.	Credit.
To June 30, 1878	$31,019.43	$2,612.97	$33,632.40	$67,498.35	.....	$67,498.35	.....	$33,865.95
Six months ended Dec. 31, 1878	1,096.42	4,313.94	5,410.36	3,947.19	.....	3,947.19	$1,463.17	.....
Calendar year—								
1879	2,680.95	3,912.64	6,593.59	1,697.19	.....	1,697.19	4,896.40	.....
1880	5,671.21	8,558.18	14,229.39	27,346.22	$6,926.91	34,273.13	.....	20,043.74
1881	5,635.00	8,220.72	13,855.72	34,064.15	.....	34,064.15	.....	20,208.43
1882	6,269.29	11,809.69	18,078.98	33,598.58	.....	33,598.58	.....	15,519.60
1883	6,867.36	19,303.58	26,170.94	19,767.74	.....	19,767.74	6,403.20	.....
1884	6,872.43	12,925.69	19,798.12	9,541.60	.....	9,541.60	10,256.52	.....
1885	6,941.65	12,351.83	19,293.48	67,056.06	.....	67,056.06	.....	47,762.58
1886	7,093.94	18,037.85	25,131.79	38,099.60	.....	38,099.60	.....	12,967.81
1887	7,261.92	12,885.27	20,147.19	42,736.98	.....	42,736.98	.....	22,589.79
1888	7,394.53	7,269.71	14,664.24	42,646.06	.....	42,646.06	.....	27,981.82
1889	7,317.12	7,311.53	14,628.65	42,940.05	.....	42,940.05	.....	28,311.40
1890	7,581.11	4,988.57	12,569.68	43,291.92	.....	43,291.92	.....	30,722.24
1891	7,942.29	6,799.33	14,741.62	45,049.33	.....	45,049.33	.....	30,307.71
1892	7,943.50	12,186.62	20,130.12	45,015.37	.....	45,015.37	.....	24,885.25
1893	7,938.23	7,180.98	15,119.21	44,992.17	.....	44,992.17	.....	29,872.96
1894	8,066.79	4,587.98	12,654.77	33,854.06	.....	33,854.06	.....	21,199.29
Total	141,593.17	165,257.08	306,850.25	643,142.62	6,926.91	650,069.53	23,019.29	366,238.57

RECAPITULATION.

Bond and interest account.

DR.			
To requirements under acts of 1862 and 1864			$306,850.25
CR.			
By transportation services rendered	$643,142.62		
Less judgment Court of Claims, 1880	25,521.04		
		$617,621.58	
By amount deducted from above judgment, the company being paid the difference in cash		6,926.91	
			624,548.49
Balance in favor of the company			317,698.24

Table No. 6.—*Statement of account between the Sioux City and Pacific Railroad Company and the United States, under the acts of 1862 and 1864, to December 31, 1894.*

Period.	Requirements.			Credits, transportation services rendered.	Difference.	
	One-half transportation services on aided line.	5 per cent of net earnings.	Total.		Debit.	Credit.
To June 30, 1878	$35,016.36		$35,016.36	$75,517.99		$40,501.63
Six months ended Dec. 31, 1878	3,768.93		3,768.93	8,130.57		4,361.64
Calendar year—						
1879	4,790.95	$7,132.97	11,923.92	10,335.35	$1,588.57	
1880	9,475.67	7,904.85	17,380.52	20,440.67		3,060.15
1881	10,043.20	5,657.46	15,700.66	21,557.98		5,857.32
1882	14,066.54		14,066.54	30,270.01		16,203.47
1883	4,891.37	5,444.79	10,336.16	10,627.22		291.06
1884	9,636.84	12,802.85	22,439.69	20,659.77	1,779.92	
1885	6,638.12	12,860.99	19,499.11	39,573.06		20,073.95
1886	7,730.05	12,509.47	20,239.52	18,144.51	2,095.01	
1887	10,140.49	12,449.42	22,589.91	8,069.41	14,520.50	
1888	11,900.67	7,083.64	18,984.31	12,678.62	6,305.69	
1889	11,772.42	10,290.31	22,062.73	12,271.25	9,791.48	
1890	11,538.03	9,280.81	20,818.84	11,216.40	9,602.44	
1891	13,576.81	7,436.14	21,012.95	12,429.73	8,583.22	
1892	14,407.03		14,407.03	14,509.64		102.61
1893	13,544.49	6,642.29	20,186.78	13,851.90	6,334.88	
1894	13,793.77	7,862.39	21,656.16	13,686.81	7,969.35	
Total	206,731.74	125,358.38	332,090.12	353,970.89	68,571.06	90,451.83
Less judgment of Court of Claims, January, 1882			45,987.42			
Less judgment of Court of Claims, August 23, 1886			82,765.80			
				128,753.22		
Total				225,217.67		

RECAPITULATION.

Bond and interest account.

Dr.		
To requirements under the acts of 1862 and 1864		$332,090.12
Cr.		
By transportation services rendered	$353,970.89	
Less judgments, Court of Claims, above	128,753.22	
		225,217.67
Balance due the United States		106,872.45

TABLE NO. 7.—*Statement of issues of bonds and grants of lands to railroad companies coming under the provisions of the act of Congress approved June 19, 1878, with the number of acres patented to and forfeited by the companies, and the number of acres restored to the public domain.*

Name of company now operating.	Name of company included in the act of June 19, 1878.	Date of act.	Amount of bonds.	Number of acres— Granted.	Patented to June 30, 1895.	Forfeited.	Restored.
Atchison, Topeka and Santa Fe	Atchison, Topeka and Santa Fe	Mar. 3, 1863		3,000,000	2,934,522.86		
	Atlantic and Pacific	July 27, 1866		42,000,000	a 1,221,812.53	10,795,480	4,790,000
	Leavenworth, Lawrence and Galveston	Mar. 3, 1863		800,000	69,104.95		
	St. Louis and San Francisco	June 10, 1852		1,161,235.07	728,949.30		
Chicago, Burlington and Quincy	Burlington and Missouri River	May 15, 1856 July 2, 1864		948,643.66 2,441,600	2,762,304.85		
	Hannibal and St. Joseph	June 10, 1852		781,944.83	603,186.34		
Chicago, Milwaukee and St. Paul	Chicago, Milwaukee and St. Paul				186,706.77		
	Hastings and Dakota	July 4, 1866		550,000	355,565.77		
	McGregor and Missouri River	May 12, 1864		1,536,000	138,187.30		
	Minnesota Central	Mar. 3, 1857 Mar. 3, 1865		643,403	179,706.01		
	Southern Minnesota	Mar. 3, 1857 July 4, 1866		794,619.45	509,992.69		
	Chicago and Northwestern	June 3, 1856 July 5, 1862 Mar. 3, 1865		1,165,575.76	1,073,554.08		
	Chicago, St. Paul, Minneapolis and Omaha.	June 3, 1856 May 5, 1864		2,173,706.43	2,166,436.10		125,000
Chicago and Northwestern	Cedar Rapids and Missouri River	May 15, 1856		1,298,739	919,142.57		
	St. Paul and Sioux City	Mar. 3, 1857 May 12, 1864		1,010,000	1,157,048.52		
	Sioux City and St. Paul	do		524,800	407,910.21		26,017.33
	Sioux City and Pacific	July 1, 1862 July 2, 1864	$1,628,320.00	60,000	41,398.23		
	Winona and St. Peter	Mar. 3, 1857 Mar. 3, 1865		1,410,000	1,676,787.31		
Chicago, Rock Island and Pacific	Chicago, Rock Island and Pacific	May 15, 1856		1,261,181	420,507.34		
Great Northern	St. Paul and Pacific	Mar. 3, 1857 Mar. 3, 1865		1,838,638.95	2,134,567.29		
	St. Paul, Minneapolis and Manitoba	Mar. 3, 1857		885,000	785,288.91		
Illinois Central	Dubuque and Sioux City Iowa Falls and Sioux City	May 15, 1856		1,226,163	327,600.39 683,023.80		
Little Rock and Memphis	Memphis and Little Rock	Feb. 9, 1853 July 28, 1866		438,646	167,567.25		
Missouri, Kansas and Texas	Missouri, Kansas and Texas	Mar. 3, 1863		1,520,000	713,015.18		5,700
Missouri Pacific	Little Rock and Fort Smith	Feb. 9, 1853		b 1,100,000	1,057,647.55		
	St. Louis, Iron Mountain and Southern (Cairo and Fulton).	do		1,178,411.05	1,383,423.27	601,600	c 15,000
Northern Pacific	Northern Pacific	July 2, 1864		47,000,000	6,737,743.76		8,978,800

St. Paul and Duluth	St. Paul and Duluth	May 5, 1864		920,000	828,510		8,000
Southern Pacific Company	Central Pacific	July 2, 1864	23,885,120.00	8,000,000	1,565,667.31		
	California and Oregon	July 23, 1866		3,500,000	1,856,401.91		
	Oregon and California (including the Oregon Central)	July 25, 1866; May 4, 1870		4,700,000	1,162,067.28	d 2,010,880	1,800,000
	Western Pacific	July 1, 1861	1,970,560.00	1,000,000	448,130.65		
	Southern Pacific of California	June 3, 1857; July 27, 1866; Mar. 3, 1871		10,487,840	2,824,733.65		4,350,000
Texas and Pacific	Texas and Pacific	do		3,520,000			
	New Orleans, Baton Rouge and Vicksburg.	do		18,000,000		15,692,800	
	Vicksburg, Shreveport and Pacific	June 3, 1856		3,800,000	916,022.84	352,587	
Union Pacific	Union Pacific	July 1, 1862; July 2, 1864	27,236,512.00	610,880			19,000
	Central Branch, Union Pacific	do	1,600,000.00	12,000,000	4,180,914.09		
	Denver Pacific	July 1, 1862		781,944.83	218,250.08		
	Kansas Pacific	do	6,303,000.00	1,000,400	209,349.23		
	St. Joseph and Grand Island	July 23, 1866		6,000,000	2,526,286.79		
Wisconsin Central	Wisconsin Central	May 5, 1864		1,700,000	462,573.24		
				1,800,000	770,727.08		200,000
	Total		64,622,512.00	196,569,372.03	49,532,445.28	29,453,347	20,317,517.33

NOTE.—The even-numbered sections on line of Pacific Railroad and branches were restored to the public domain by the act of March 6, 1868. Lands adjacent to uncompleted portions of these roads were forfeited by the act of July 6, 1866.

a Including 518,289.06 acres of grant to St. Louis and San Francisco Railroad.
b See Poor's Manual of Railroads, 1874-75.
c See report under head of St. Louis, Iron Mountain and Southern Railroad.
d See Report General Land Office for 1888, page 256.

REPORT

OF THE

GOVERNMENT DIRECTORS OF THE UNION PACIFIC RAILWAY.

NEW YORK, *October 15, 1895.*

SIR: The Government Directors of the Union Pacific Railway Company hereby submit their report for the fiscal year ended June 30, 1895.

The business conditions affecting the operations of the Union Pacific Railway Company for the fiscal year closed June 30, 1895, have not varied materially from those prevailing during the preceding year and which were alluded to at length in the last report of the Government Directors.

The actual figures for the years 1895 and 1894 are as follows:

Union Pacific Railway Company.

[Mileage, 1,822.59.]

	Twelve months to—		Increase.	Decrease.
	June 30, 1895.	June 30, 1894.		
Gross earnings	$14,588,000	$15,504,000	.....	$916,000
Expenses	9,405,000	10,051,000	.....	646,000
Taxes	524,000	600,000	.....	76,000
Surplus earnings	4,659,000	4,853,000	.....	194,000

For the purpose of comparison we also state the results of the operation for the same two years of the Oregon Short Line and Utah Northern System, which were as follows:

[Mileage, 1,427.84.]

	Twelve months to—		Increase.	Decrease.
	June 30, 1895.	June 30, 1894.		
Gross earnings	$5,016,000	$4,992,000	$24,000	.....
Expenses	3,380,000	3,282,000	98,000	.....
Taxes	223,000	220,000	3,000	.....
Surplus earnings	1,413,000	1,490,000	.....	$77,000

During the past year the operation of the Union Pacific Railway Company has been conducted by the same receivers, and they have strictly adhered to the policy of maintaining the physical condition of the railroad, its roadbed, and all its appurtenances and rolling stock in excellent condition, so as to keep all parts of the railroads in their charge up to the best standard.

One of the Government Directors, Mr. W. J. Coombs, has, du two months preceding the making of this report, personally in the entire property which is subject to the Government lien, as many of the branches and railroads directly connected therewi finds the roadbeds, rails, bridges, shops, structures, and rollin to be in excellent condition. Mr. Coombs has made a formal r his examination of the property, together with suggestions refe the adjustment of the Government debt, which is submitted w report.

By reason of the inability of the receivers to meet and pay at ity the interest falling due on the mortgages to which the Union Railway Company is subject, a number of foreclosure suits a various parts of the property have been brought and are now p in the circuit courts of the United States for the eighth circuit. suits are as follows:

[United States circuit court for the district of Nebraska.]

F. GORDON DEXTER AND OLIVER AMES, SECOND, TRUSTEE PLAINANTS, V. THE UNION PACIFIC RAILWAY COMPAN UNITED STATES OF AMERICA, AND OTHERS, DEFENDANTS.

This suit has been brought to foreclose the first mortgage Union Division. The lien of the mortgage covers the entire r property between Omaha and a point 5 miles west of Ogden. of this mortgage is prior to the lien of the United States, ex hereinafter explained. The semiannual interest accruing on th gage amounts to $816,870. The coupon which matured on th January, 1895, and the coupon which matured on the 1st of Jul are both in default.

The principal of the bonds secured by this mortgage mat follows:

January 1, 1896	$
January 1, 1897	1
July 1, 1897	1
January 1, 1898	8
July 1, 1898	8
January 1, 1899	2
Amount issued, outstanding and afloat June 30, 1895	27

[United States circuit court for the district of Colorado.]

RUSSELL SAGE AND GEORGE J. GOULD, TRUSTEES, COMPLAI V. THE UNION PACIFIC RAILWAY COMPANY AND OTHERS, D ANTS.

This suit has been brought to foreclose a mortgage coveri part of the Union Pacific Railway which extends from Denver t enne. The lien of the United States does not extend to the p covered by this mortgage, but the relations of the property to t of the Union Pacific Railway, and especially to the Kansas Railroad, over part of which the Government lien does extend, as to render it proper for us to officially advise you of the pend this proceeding. The length of the railroad is 104 miles. Tl amount of bonds outstanding is $975,000. The principal of thes becomes due May 1, 1899. All of these bonds except $4,000 are the trustees of the Kansas Pacific consolidated mortgage, her referred to, as collateral security for the payment of the bonds

under that mortgage. The coupons have not been collected for many years, because so long as the interest was paid on the bonds issued under the Kansas Pacific consolidated mortgage there existed no reason for collecting interest on the collateral security.

The coupon appertaining to the Kansas Pacific consolidated bonds which matured on the 1st of May, 1894, was not paid, and all the subsequent coupons of these bonds are in default.

In the bill of complaint for the foreclosure of the Denver Pacific property the complainants allege a default in the payment of the coupon of May 1, 1894, and certain other coupons of the same and other bonds of said issue without, however, specifying whether any claim is made in respect to coupons prior to May 1, 1894.

The mortgage of the Denver Pacific Railway and Telegraph Company to which this suit refers is also secured by that portion of the public lands included in the grant made to the Denver Pacific Railway between Denver and Cheyenne.

[United States circuit court for the district of Kansas.]

RUSSELL SAGE AND GEORGE J. GOULD, TRUSTEES, COMPLAINANTS, V. THE UNION PACIFIC RAILWAY COMPANY AND OTHERS, DEFENDANTS.

This mortgage is claimed to cover the entire property of the Kansas Pacific Railroad, commencing at the initial point, Union Depot, Kansas City, Mo., fifty-one one-hundredths of a mile east of the Missouri-Kansas State line, and extending westwardly to the city of Denver.

The Kansas Pacific consolidated mortgage is subject, as to the 140 miles immediately west of the Missouri-Kansas State line, to the lien of the Union Pacific, Eastern Division, first-mortgage bonds, dated August 1, 1865, of which $2,240,000 are outstanding. The name of the Union Pacific Railway Company, Eastern Division, was subsequently changed to Kansas Pacific Railway Company.

The said mortgage is subject, as to the same 140 miles, to the lien of the United States debt, amounting to $2,240,000, with the interest thereon. It is also subject, as to the same 140 miles, to the lien of the Union Pacific, Eastern Division, income sevens, of which there are outstanding $263,700. It is also subject, as to the same 140 miles, to the lien of the subordinated income 7 per cent bonds, Union Pacific, Eastern Division; but as all of the said subordinated 7 per cent bonds with the exception of $2,550 are held by the trustees of the Kansas Pacific consolidated mortgage as collateral security, these subordinated bonds may be regarded as merely duplicating the debt represented by the mortgage now under consideration. It is also subject, as to the division between the point 140 miles west of Kansas City and a point 393.94 miles west, now known as the Kansas Pacific Railway Company, Middle Division, to the lien of the Union Pacific, Eastern Division, first-mortgage 6 per cent bonds, dated June 1, 1866, of which there are outstanding $4,063,000. It is also subject, as to the same Middle Division, to the lien of the United States debt, amounting to $4,063,000, with the interest thereon. The said mortgage as to the said Middle Division is also subject to the lien of the Union Pacific, Eastern Division, income sevens, of which there are outstanding $263,700. The said mortgage as to the said Middle Division is also subject to the lien of the subordinated income 7 per cent bonds, Union Pacific, Eastern Division; but as all of the said bonds, as before stated, except $2,550 are held

by the trustees of the Kansas Pacific consolidated mortgage as collateral security, these subordinated bonds may be regarded as merely duplicating the debt represented by the mortgage now under consideration.

The said Kansas Pacific consolidated mortgage is also a lien on the following branches:

Leavenworth, Kans., to terminus at Lawrence, Kans	miles..	31.93
Wyandotte to Armstrong, Kans	do....	2.08
Detroit to Enterprise, Kans	do....	1.95
Total branch mileage		35.96

The said consolidated mortgage is subject, as to the division between a point 393.94 miles west of Kansas City and the city of Denver, to the lien of the Kansas Pacific Railway Company, Denver Extension, first-mortgage bonds, of which there are outstanding $5,887,000. Of these bonds, $1,781,000 are held by the trustees of the Denver Extension mortgage in their sinking fund. There is no lien for the United States debt on this division.

The Leavenworth Branch, before mentioned, is subject to the lien of the Union Pacific Railway Company, Eastern Division, Leavenworth Branch, first-mortgage 7 per cent bonds, dated January 1, 1866, of which $600,000 were issued. All of these bonds excepting $15,000 are held by the trustees of the Kansas Pacific consolidated mortgage, and these bonds may be therefore regarded as merely duplicating the debt represented by the Kansas Pacific consolidated bonds.

The said Leavenworth Branch is also subject to the above-mentioned bonds of the Kansas Pacific Railway Company, Denver Extension, dated June 20, 1869, of which $5,887,000 are outstanding, and also to the income sevens, subordinated and unsubordinated bonds, referred to above.

The other branches, from Wyandotte to Armstrong and Detroit to Enterprise, are subject to the Eastern Division and Middle Division mortgages, respectively, and to the income and Denver Extension mortgages.

The Kansas Pacific consolidated mortgage is also secured by the public lands included in the grants made to the Kansas Pacific Railway Company between Kansas City and Denver, subject, however, as to that portion of those lands which is situated between a point 393.94 miles west of Kansas City and the city of Denver, to the lien of the Denver Extension mortgage on the same lands.

The entire amount of bonds outstanding under the Kansas Pacific consolidated mortgage is $11,724,000.

The following coupons are overdue and unpaid:

Due May 1, 1894	$351,720
Due November 1, 1894	351,720
Due May 1, 1895	351,720
Total	1,055,160

[Circuit court of the United States for the district of Kansas, eighth circuit.]

JOHN A. STEWART, AUGUST RUTTEN, AND WILLIAM ENDICOTT, JR., COMPLAINANTS, V. THE UNION PACIFIC RAILWAY COMPANY AND OTHERS, DEFENDANTS.

This suit has been brought to foreclose the mortgage, dated June 1, 1866, covering that part of the Kansas Pacific Railroad which is situated between a point 140 miles west of Kansas City and a point 393.94 miles westwardly from Kansas City. The semiannual interest amounts

to $121,890, and the interest maturing June 1 and December 1, 1894, and June 1, 1895, is in default and unpaid. The amount of bonds outstanding is $4,063.000, and they mature, by their terms, on June 1, 1896. The lien of this mortgage is prior to the lien of the United States on the property described in the mortgage.

The complainants are not the trustees of the mortgage sought to be foreclosed, but bring the suit as holders of 385 bonds issued under the said mortgage.

[United States circuit court for the district of Kansas.]

THE MERCANTILE TRUST COMPANY OF NEW YORK, TRUSTEE, COMPLAINANT, V. THE UNION PACIFIC RAILWAY COMPANY, DEFENDANT.

This suit has been brought to foreclose a mortgage dated May 1, 1891. The mortgage covers generally all of the property of the Union Pacific Railway Company excepting the property between Council Bluffs and Ogden. The lien of this mortgage is subject to the lien of all the mortgages hereinbefore referred to on the respective parcels covered by the respective mortgages and to the lien of the United States debt on those portions of the property which are affected by this lien. It is claimed, however, by the complainant that it holds, under this mortgage, a lien on a large part of the rolling stock of the Union Pacific Railway Company, acquired by that company since the consolidation, which is superior to the lien of the divisional mortgages and to the lien of the United States. The amount of bonds issued and outstanding is $5,000,000. No interest has been paid on the bonds. The foreclosure bill was filed August 5, 1895.

In addition to these foreclosure suits proceedings have been instituted, on behalf of Messrs. J. P. Morgan and Edwin F. Atkins, as trustees of the mortgage securing the Omaha Bridge 8 per cent bonds, under which, by proper orders of court, the earnings of that bridge have been impounded and are being applied to the principal and interest maturing on said bonds.

No decrees have been entered in any of the foreclosure suits above referred to; but all of these suits have progressed so far that final decrees of foreclosure and sale could be entered, if such action were desired, and pressed by the parties in interest within the space of a year and perhaps earlier. We therefore deem it necessary to call the attention of the Department to the effect of such decrees for foreclosure and sale upon the debt due to the United States from the Union Pacific Railway Company.

In so far as these suits relate to portions of the railroad which are not subject to the lien of the United States, the foreclosures and sales could have no direct effect upon such lien; but, by disintegration of the railroad, they might materially affect and decrease the value of the security remaining to the United States.

The parts of the railroad not affected by the United States lien and involved in these suits are as follows:

First. That portion of the Kansas Pacific which extends from the point 393.94 miles west of Kansas City to the city of Denver. The title to this property would pass under a decree of foreclosure and sale in the Sage and Gould foreclosure of the Kansas Pacific consolidated mortgage. It would also pass under a decree of foreclosure and sale under the Denver Extension mortgage, but the trustees of this mortgage have not, as yet, brought suit to foreclose.

Second. That portion of the Union Pacific Railroad Company properties which was formerly known as the Denver Pacific Railroad, which extends from Denver to Cheyenne. The title to this portion of the railroad would pass under a foreclosure and sale in the suit now pending and above referred to, brought by Sage and Gould, trustees of the Denver Pacific mortgage.

Third. So much of the property of the Kansas Pacific Railway Company which lies east of the Kansas-Missouri State line. This property is only fifty-one one hundredths of a mile in length, but it embraces very valuable terminals in Kansas City, and the effect of the foreclosure sale is, for this reason, a matter of great importance. The title to the property would pass under a foreclosure sale under the before-mentioned Kansas Pacific consolidated mortgage.

It is a question of some difficulty whether this portion of the railroad is or is not subject to the lien of the Government. It is claimed, on the one side, that the bond-aided road commenced substantially at the Kansas-Missouri State line. It is claimed, on the other, that the terminal property in question forms a substantial part of the bond-aided road and is bound by the lien secured to the Government under the company's charter.

The suit brought by Dexter and Ames for the foreclosure of the first mortgage, extending from Omaha to a point 5 miles west of Ogden, and the suit brought by Stewart and others to foreclose the Middle Division of the Kansas Pacific Railroad are suits brought to foreclose mortgages securing the first-mortgage bonds, the lien of which, with the exception hereinafter noted, is claimed to have priority over the debt of the United States.

So far as we are informed, no attempt has yet been made in these suits to serve the United States with process.

In the suit brought by Dexter and Ames formal notice, however, has been given to the Attorney-General of its pendency, and we are, of necessity, confronted with the question as to the effect of a decree of foreclosure and sale, followed by an actual sale, upon the lien of the United States.

It is an elementary principle of law that a sovereign can not be sued by the subject, but this doctrine has, in modern times, been qualified, both by decisions of our judiciary and by the approval and acquiescence of the other departments of our Government, by conceding that whenever the sovereign, of its own volition, enters into our courts of justice for the assertion of a right against a citizen, that it thereby becomes itself subject to the administration of the law, according to the rules and principles which are laid down by our judiciary. If, therefore, in pursuance of an act of Congress, the appearance of the United States should be entered by its authorized officer in this foreclosure suit, it must be assumed that the effect of a final decree of foreclosure in that cause upon the claim of the United States would be the same in its scope and result as in the case of an appearance by an individual creditor. If, however, Congress should refuse to sanction an appearance in these suits by the Attorney-General on behalf of the United States, or if the Attorney-General should deem it against the interest of the United States to so appear, it is quite proper that the Government Departments and all officers of the Government who are charged with the protection of its interests should satisfy themselves as to the result of such refusal to appear upon the lien of the United States which is the only substantial security for its debt.

The fifth section of the act of July 1, 1862, declared that the bonds issued by the United States for account of the company, upon delivery to the company, should "ipso facto constitute a first mortgage on the whole line of the railroad and telegraph, together with the rolling stock, fixtures, and property of every kind and description and in consideration of which said bonds may be issued."

The tenth section of the act of July 2, 1864, modified the fifth section of the act of 1862, above quoted, so as to permit the Union Pacific Railroad Company, and any other company authorized to participate in the construction of the road, to issue their first-mortgage bonds on their respective railroad and telegraph line to an amount not exceeding the amount of the bonds of the United States, and then further provided:

And the lien of the United States bonds shall be subordinate to that of the bonds of any or either of said companies hereby authorized to be issued on their respective roads, property, and equipment, except as to the provisions of the sixth section of the act to which this act is an amendment, relating to the transmission of dispatches and the transportation of mail, troops, munitions of war, supplies, and public stores for the Government of the United States.

It is claimed by the holders of bonds issued under the first mortgage affecting the Union Division and the Kansas Pacific Eastern and Middle divisions, that Congress having, by this express declaration, declared that its debt shall be subordinate to the debt created by the issue of the first-mortgage bonds, provided the same were issued in conformity with the terms of the act, that holders who have advanced their money or purchased bonds on the faith of the provisions contained in the act must be recognized as having a prior lien, subject to the single exception noted in the act, to which lien the debt due to the United States is subordinate.

It is also claimed by such holders that the formal appearance of the United States, as a party defendant, in these suits is not essential to a successful foreclosure; that if notice of the pendency of the proceedings is given to the United States and a full opportunity offered to redeem the mortgaged property by the payment of the prior lien, a complete title will pass under a foreclosure and sale, free from the lien under which the property is sold and from all junior liens, including the lien of the United States.

The question thus presented is one of great gravity and to which the attention of the Department and of Congress is seriously invited. But whether the claim above made be a correct statement of the law applicable to this case or not, it can not be doubted that it is the imperative duty of Congress to take prompt and definite action. It should either provide for the payment of prior liens, and thus acquire the possession and control of the railroads, or else it should reach some reasonable basis for settlement with the creditors of the corporation. The Government Directors have so frequently declared their opposition to any scheme of Government ownership of railroad properties that it is perhaps unnecessary to repeat their reasons for their conviction.

For the purpose of reaching a reasonable basis of settlement and also affording to the Government the protection which the present situation appears to require, we suggest the following action:

First. That it is desirable to terminate the relations between the Government and the railroad properties, either by accepting a fixed sum in money or a determinate amount of bonds, rather than to continue for an indefinite number of years the existence of an unsatis-

factory and imperfect lien, the supervision and protection of which necessarily involves constant friction between Departments of the Government and the management of the railroads.

Second. The complications attending the terms of any proposed adjustment are vastly increased by the retention of the railroad extending from Kansas City to Denver and from Denver to Cheyenne. This is caused by the fact that the lien of the United States on the Kansas Pacific Railroad extends only to the point 393.94 miles west of Kansas City, so that the adjustment of both the liens prior to the lien of the United States and of the liens on parts of the railroad not subject to the lien of the United States involves amounts out of proportion to the claim of the United States.

The great object which inspired the Pacific legislation of 1862 and 1864 was to secure to the Government of the United States and to the public efficient and economical railroad service between the Missouri River and the Pacific Ocean. That object is clearly set forth in the twelfth section of the act of 1862 in the following language:

> The track upon the entire line of railroad and branches shall be of uniform width to be determined by the President of the United States, so that, when completed, cars can be run from the Missouri River to the Pacific coast; the grades and curves shall not exceed the maximum grades and curves of the Baltimore and Ohio Railroad; the whole line of said railroad and branches and telegraph shall be operated and used for all purposes of communication, travel, and transportation, so far as the public and Government are concerned, as one connected, continuous line.

The manifest purpose of Congress which appears in the language above quoted is as important to-day as when the act was passed. It is not necessary for the accomplishment of this purpose to retain the Kansas Pacific Railroad as part of the continuous line intended by Congress. For the purpose, therefore, of bringing to a conclusion the relations of the Government with the railroad, of settling the Government debt, and to carry into effect the declared provisions of the original acts we suggest the passage of a bill containing the following provisions:

First. The Attorney-General shall, immediately after the maturity of any portion of the debt due to the United States from the Union Pacific Railway Company, or the Central Pacific Railroad Company, institute proper proceedings for the protection and foreclosure of the lien of the United States from Omaha to Ogden, and similar proceedings for the protection and foreclosure of the lien of the United States from Ogden to Sacramento, and thence to San Jose.

Second. The Secretary of the Treasury shall have power to pay, settle, and adjust all amounts due or to become due for principal and interest which are secured by liens prior to the said liens of the United States affecting the properties above referred to, including the power to take assignments of any foreclosure decrees or mortgages securing such prior liens, if necessary.

Third. The entire railroad property affected by said Government liens, extending from Omaha to San Jose shall, under orders of court to be entered in the suits to foreclose the said liens, be forthwith sold, under the direction of the Secretary of the Treasury, to such purchasing committee or corporation authorized to take title to the same as will agree to refund the entire amount advanced by Government for the discharge or purchase of prior liens and of the interest on the same and an amount not to be less than a sum limited by Congress as the minimum to be received in satisfaction of its claims against the Union Pacific Railway Company and the Central Pacific Railroad Company.

If at such proposed sale no committee or corporation will bid the minimum price so fixed it shall be the duty of the Secretary of the

Treasury to report the facts to the next session of Congress for such further action in regard to the minimum bid as Congress may think proper to take.

The purchasing committee or corporation purchasing said railroads shall have power to possess, control, and operate the same and to complete construction between Sacramento City and Oakland, shall not be allowed to consolidate with other transcontinental lines, and shall be subjected to reasonable conditions as to freight and passenger rates.

The result of this bill would, in a brief period, certainly terminate the relations of the Government to the railroads. Until a purchasing committee or corporation were found willing to take title the management of the property would necessarily remain in the courts having jurisdiction of the foreclosure of the Government liens.

The fixing of the minimum price would naturally be attended with some difficulty, but a free negotiation with all competitors desirous of bidding for the railroad so constituted would certainly soon develop the possible limits of the price to be obtained and would, it seems to us, realize a better return to the United States than could be reached through the agency of any funding bill or extension of the present indebtedness.

Portions of the Government debt, both of the Union Pacific Railway Company and of the Central Pacific Railroad Company, mature early in 1896, so as to support the jurisdiction of the court of suits instituted for the foreclosures above referred to.

The total amount standing to the credit of the Central Pacific and Union Pacific United States sinking funds on the 1st of October, 1895, was $21,389,095.10. The total amount standing in the sinking fund to the credit of the trustees of the Central Pacific mortgages, the lien of which is prior to the lien of the United States, as stated in their report for 1894, was $6,496,244. The total amount of prior-lien bonds of the Union Pacific Railway Company and the Central Pacific Railroad Company amounts, in the aggregate, to $55,847,000 (exclusive of the Kansas Pacific). The amounts required for the Omaha Bridge bonds and to complete the payment of balances due on the equipment trusts of the Union Pacific will not exceed $3,000,000. The cash balance in the hands of the Union Pacific receivers applicable to the Union Pacific property will probably be approximately sufficient to meet the arrears of interest accruing on its prior bonds. The interest on the Central Pacific prior bonds is paid up to date. It therefore follows that the entire gross amount of the prior liens on the Union Pacific and the Central Pacific (exclusive of the Kansas Pacific), less the amounts above stated, held in the several sinking funds, will be $30,961,660.90. The amount which might be required to discharge or purchase these prior liens is liable to be increased if the above-mentioned sums in the sinking funds of the United States should, under the decision of the Secretary of the Treasury and the Attorney-General, not be available for the purpose above indicated, and the same consideration applies to the sinking funds held by the trustees of the Central Pacific mortgages.

If Congress should fix the minimum price which it is willing to receive in satisfaction of its claims at a sum which should meet the approval of an intending purchaser, the entire transaction could manifestly be so arranged between the contracting parties as to avoid the necessity for any expenditure of moneys from the Treasury of the United States for the purpose of taking up the prior liens, and that part of the arrangement would remain entirely in the hands of such

purchasing committee, whose sole relations to the United States, in that event, would be in the cash payment of the amount so agreed to be received.

In closing this report we deem it proper to call your attention to the provisions of the charters of the Union Pacific Railroad Company affecting its land grants.

The fifth section of the act of July 1, 1862, after making provision for the issue of the United States bonds in aid of the construction of the railway, and after having reserved to the United States a first lien on the property of the railroad as security for the said bonds (this lien was subsequently, by the tenth section of the act of July 2, 1864, subordinated to the lien of the prior bonds), contains the following provision:

And on the refusal or failure of said company to redeem said bonds, or any part of them, when required so to do by the Secretary of the Treasury in accordance with the provisions of this act, the said road, with all the rights, functions, immunities, and appurtenances thereunto belonging, and also all lands granted to the said company by the United States, which at the time of said default shall remain in the ownership of the said company, may be taken possession of by the Secretary of the Treasury for the use and benefit of the United States.

The sixth section of the said act also provided that the land grants in the act contained are made upon condition that the said company shall pay said bonds at maturity; adding, also, other conditions to which no reference is made at present.

We call the attention of the Department to the propriety of obtaining from the bond-aided companies full statements showing all lands now remaining in the ownership of the several companies.

All of which is respectfully submitted.

E. ELLERY ANDERSON,
FITZHUGH LEE,
J. N. H. PATRICK,
WILLIAM J. COOMBS,
J. W. DOANE,
Government Directors.

Hon. HOKE SMITH,
Secretary of the Interior.

BROOKLYN, N. Y., *October 11, 1895.*

GENTLEMEN: In the course of my recent trip as a Government Director of the Union Pacific Railway I went carefully over the various lines of road composing the system and examined their physical condition as well as the condition of the shops and equipment. In order, also, to get a more comprehensive view of its field in relation to other and competing roads, I went over the Central Pacific and parts of the Southern and Northern Pacific as well as portions of the Denver and Rio Grande and Rio Grande and Western railroads.

I find that under the management of the receivers the roadbed and bridges are being kept in first-class condition. Gangs of workmen are employed not only upon the main line but also upon the feeders in replacing ties, leveling up the track, and repairing bridges. The repair shops are in good condition, well organized, and, so far as I can judge, economically conducted. The rolling stock is kept in good repair and in readiness for an improved business.

The expenditure of liberal amounts by the receivers in keeping the physical condition of the road up to a good standard is doubtless wise and in the best interests of the creditors of the road.

The general condition of the country tributary to the road is steadily improving. The temporary check to business caused by the decline in the silver-producing interests has turned the attention of the people to the development of new industries, thus laying the foundation of a more permanent prosperity. It can not be doubted

that where one industry overshadows all otners there is greater danger of periodical depression than in communities where all the resources of the country are more evenly developed.

The country between the Rocky Mountains and the Sierras has not been, and, of necessity, could not have been, developed on the same lines nor as quickly as the States east of that barrier, for the reason that there were no large stretches of virgin soil well watered and easily brought under cultivation. The vast plains forming the interior basin were, with a few exceptions, barren and required time, labor, enterprise, and capital to bring them into a state of productiveness. As a result the development, compared with that of other sections of the country, has been very slow, and without the help furnished by railroads that country could not have been developed at all.

Under the act of July 1, 1862, amended July 2, 1864, the Government issued its bonds to aid in the construction of the Union Pacific Railway from the Missouri River to a point 5 miles west of Ogden and to the Central and Western Pacific, which were afterwards consolidated, from the western terminus of the Union Pacific through Sacramento, Cal., to San Jose, near the Bay of San Francisco. The mileage embraced in the above direct lines was nearly 1,905.

Aid was also extended to the Kansas Pacific, Central Branch of the Union Pacific, and Sioux City and Pacific. It is not my purpose to devote any portion of this report to these minor lines, but to confine myself to the main line from Omaha to San Jose.

When Congress decided to extend its aid in the construction of a transcontinental system it could not have supposed that the roads composing it would derive enough revenue from the local traffic in the new Territories along its line to pay running expenses in addition to the interest on the Government bonds. Its supposed ability to sustain itself and to meet its obligations to the Government was based upon the hypothesis that the various roads to which such aid might be extended would form a continuous line, working in harmony, from the Missouri River to the Pacific Ocean. Every act of Congress relating to the Pacific roads substantiates this statement. The traffic between California and the East was relied upon for revenue during the period in which the new Territories were being developed. As a principal creditor, it has a right to demand that this plan, embodied in the act extending aid and in subsequent acts, shall be adhered to.

I have no hesitation in stating, as a result of my investigations, that a violation of this understanding is the main cause of the present deplorable condition of both roads. I find that almost from the beginning there has been a lack of cooperation between them. As for the last ten years the Central Pacific has been leased to and under the full control of the Southern, the Union Pacific has been absolutely at its mercy in the matter of through passenger and freight traffic.

It is currently reported in California that compulsion is brought to bear upon shippers who wish to ship by the Central route to the East to compel them to ship by the Southern route, and that, in every respect, it is treated as a tender to the interests of the Southern Pacific system. This has created in that State an antagonism to the settlement of the debt to the Government, for it is claimed that it would leave their communications with the East in the hands of the Southern system. I am convinced that no settlement, upon a basis which the roads can afford to pay, will ever receive the sanction of the Representatives of California, nor of the States from the Missouri River to the Sierras unless it embraces in its terms a guaranty that the original intention of the Government shall be carried out, viz, that the aided lines shall form one continuous system, working in harmony, from the Missouri River to the Pacific Ocean. I think that they are right in taking this stand, for although I am not one of those who join in the general denunciation of the Southern Pacific Road, which has done much for California, I believe that the State is entitled to have independent competing lines connecting it with the East. Although the Government has never seen fit to demand a compliance with the original intention as expressed above, it has never surrendered it.

When the management of the Union Pacific found that it was at the mercy of its competitor in the matter of through traffic, and dammed up in the middle of the continent, it attempted to remedy the difficulty by building roads, or by entering into alliance with roads already built, to the north and south, which should act as feeders to the main line east of Ogden. This, under the circumstances, was probably justifiable, but if the conditions had not existed there would not have been so plausible reasons for the diversions of the earnings of the road, nor occasion for the scandals that resulted from their construction. While this policy has resulted in benefit to the various interior States and Territories, and has aided in their development, it has entailed an expense out of all proportion to the income derived from it, and has weighed down the system with a load to which it has finally succumbed.

In the effort to increase the business of the road, and doubtless in many cases for reasons not so easily justified, there has been too much development of the system in the States of Kansas and Nebraska. There we find a complicated network of

roads, many of them paralleling one another, and all in competition with the great lines east of the Missouri, which have also built extensions into that territory. These roads, as well as the Kansas Pacific, could well be left out of a scheme for reorganization.

The geographical position of the main lines of the Union Pacific and Central Pacific roads, running as they do through the central zone of the continent, with the other transcontinental lines far to the north and to the south of them, is a guaranty of a reasonable degree of prosperity, provided they are conducted as one grand trunk line with the roads running north and south as feeders to it. The main line could serve its tributaries well and cheaply, leaving them, moreover, to supply the local wants of the States through which they may extend.

The matter that most concerns us, as Government Directors, is the settlement of the debts of these roads to the national Treasury, but we must leave them in such a financial condition after their reorganization that they shall be of real benefit in the upbuilding of the States. There must be a radical disentanglement of the complicated interrelations of the roads, an abandonment of experiments that have proved unremunerative, a greater reliance upon the theory of a main line, and a scaling down of capitalization of indebtedness not only to Government but to individuals. It is not wise to discuss nor to be governed in our actions by alleged mismanagement in the past. That we can not remedy. Our plain duty is to take matters as we find them, and to devise some method of placing the roads on a good business basis, to the end that they may pay their debt to the Government and render more efficient service in the development of the country by carrying its freight cheaply.

A simple extension of the time of payment of the debt due the Government will be insufficient, no matter how advantageous the terms may be. There should be an absolute payment of the debt and a dissolution of any connection with the Government.

The investigations that I have made convince me that it is possible to effect a reorganization of the main lines of the Union and Central Pacific roads as one road, upon a sound financial basis, including a payment to the Government in cash of a very large percentage of its claim and leave investments in its securities safe and remunerative.

In making this calculation I have not been governed by the reported earnings of the last two years, for the conditions have not been normal. The Union Pacific has been staggering under an accumulated load of unfortunate experiments, while the Central has been deprived of its natural proportion of freight because it has been under the control of a competitor which has kept it at starvation point.

The Reilly bill failed of passage in the last Congress for various reasons, viz, inability of the Members to understand its provisions (this was especially developed during the last day's discussion); the unwillingness of Members to enter into a new arrangement of the debt extending through a long term of years, during which the door would be always open to new complications; the effect of local prejudice caused by the failure of the roads to carry out the original intentions of Government.

Any bill presented for the action of the next Congress should be simple and direct in its provisions, so that the Members may be able to divide upon the basis of a simple and plain business proposition. If you will allow me to suggest some of its main provisions I will name the following:

1. That no settlement be made that does not include in its terms a settlement with both roads.

2 That it should demand the uniting of the Union, Central, and Western Pacific main lines into one corporation, as is provided for in the act granting aid. If this can not be brought about by amicable arrangement between the two roads, then the Government should enforce it by every remedy in its possession, even to the extent of foreclosing its lien.

3. That, in consideration of such reductions from the actual indebtedness as Government may consent to make, the new corporation be prevented from consolidating with any other transcontinental line.

4. That when the Secretary of the Treasury shall have proof that the above provisions have been complied with and when a certain stipulated sum of money has been paid into the Treasury, he shall execute to the roads an acquittal from all other obligations.

The demand that the owners of the Central Pacific shall unite with the Union is reasonable and should be insisted upon, for there was never any reason for its construction under Government aid except as a part of a transcontinental system. Certainly the development of the natural resources of Nevada were no inducement to Government to extend its aid.

If objection is made to the foregoing suggestions on the ground that they seem favorable to the roads, a sufficient answer will be that, while Government may be *called upon to* sacrifice a part of its claim, private investors in its securities are not

exempt from the same misfortune; that it is better for Government to receive absolutely a fair portion of its debt than to give an extension for the whole amount, the result of which would be problematical; that since the contracting of this debt, the problem of transcontinental railroad traffic has been changed by the building of competing lines, notably the Canadian Pacific Railroad; that it is in the interests of public morality to remove from the world a railroad scandal that is demoralizing to the credit of our railroad system; that it will remove an incubus from the prosperity of the States affected by the present unfortunate conditions.

Very respectfully,

WILLIAM J. COOMBS,
Government Director of Union Pacific Railway.

GOVERNMENT DIRECTORS OF THE UNION PACIFIC RAILWAY.

REPORT

OF

THE GOVERNOR OF ALASKA.

EXECUTIVE OFFICE,
TERRITORY OF ALASKA,
Sitka, October 1, 1895.

SIR: I have the honor to submit this my annual report on the condition of affairs in this Territory in regard to the population, industries, resources, and the execution of the laws.

By order of the honorable the Secretary of the Treasury and the courtesy of Capt. C. L. Hooper, commander of the Bering Sea squadron, I was given an opportunity of personally inspecting the Pribilof Islands (the seal islands) and other important places in the western part of this the Government's vast domain. Few people realize that one can sail 2,000 miles directly west of Sitka, and still be within the bounds of Alaska.

In company with Deputy Collector of Customs George Moore and Col. Joseph Murray, special Treasury agent, I left Sitka at 8 o'clock a. m. June 2 on board the U. S. revenue cutter *Richard Rush*, Captain Hooper, commanding, and sailed directly for the port of Unalaska, calling on the way at the villages of Kadiak, Wood Island, Karluk, Sand Point, Unga, and Belkovski, and arrived at Unalaska June 11, having had good weather and a prosperous voyage of ten days.

The village of Kadiak was settled by the Russians in 1789 and was the headquarters of the Russian Fur Company until they removed to Sitka in 1804. The Alaska Commercial Company have a large stock of goods here, with warehouses, and a wharf from which they ship supplies to all parts of the Kadiak district.

A deputy collector of customs, a United States commissioner, and a deputy marshal are located at this place. Since the establishment of a United States commissioner's court in April last, much has been done toward suppressing the smuggling, manufacture, sale, and use of intoxicating liquors, and reformation in this respect is apparent among all classes in this community. The Government also maintains a good school, which is well taught and well attended.

One hundred years ago the first Greek church in America was established in Kadiak, and this church has been continuously maintained. They have at present a new and neat church edifice, a parsonage for the priest and his assistant, a schoolhouse, and a hospital building.

Nearly all the people in this vicinity are connected with this denomination. The population of Kadiak village in 1890 was reported to be as follows:

Whites	127
Half-breeds	245
Indians	122
Chinese	1
Total	495

Wood Island, situated on an island of the same name, is a village of 150 people, has a Baptist church, an orphan school, a Greek church, and is the headquarters of the North American Commercial Company for this district. Here we found in a temporary hospital seven of the survivors of the wrecked schooner *C. G. White*, which was driven on the shore of Kadiak Island and wrecked in a severe storm in the month of April last. Several of the crew were drowned and those that escaped were so badly frozen that they will be maimed for life. One man was compelled to have both feet amputated. We gave the poor sufferers all the encouragement we could, and Captain Hooper kindly bade them be of good cheer, and said that when they were sufficiently recovered he would have them sent to their families and friends in San Francisco. He redeemed his promise one month later by directing Captain Tozer, commanding the U. S. revenue cutter *Grant*, to call for them at Wood Island and take them to Sitka, where they arrived August 18, and were sent by the Pacific Coast Steamship Company's steamer *City of Topeka* to San Francisco.

Karluk River, which flows into Shelikoff Straits, is one of the most productive salmon streams in the world. Four large canneries are in operation here, all depending on this river for their supply of fish. The *Rafell*, a 2,000-ton ship, while lying in the harbor waiting to take on board the product of the canneries for shipment to San Francisco, was, about the 1st day of August, driven on shore by a gale. The crew escaped, but the ship and cargo were a total loss, including 20,000 cases of salmon which had been recently taken on board. .

Two hundred natives or Indians make their homes here, living mostly in sod huts, which, when properly constructed, are quite comfortable and much warmer than wooden houses, which is an important consideration when there is a scarcity of wood or other fuel in the country. During the fishing season there are 400 Chinamen and 200 whites working at the canneries.

The Government has a good frame schoolhouse in this place. This school building had not been occupied for several years, but a teacher was sent to open the school on the first Monday of September last, which will be continued for nine months. A justice of the peace and a constable would be useful in this community.

Belkovski, situated on the mainland, is a native village of 190 inhabitants, one white trader, and a few white hunters. The dwelling houses, schoolhouse, and Greek church are all frame buildings, neatly painted white. The officiating priest, Father Metropolski, appears to be a good man, devoted to his work of educating, Christianizing, and civilizing the native people.

At one time the waters in this part of Alaska were alive with sea otter, and a thousand skins were taken then, where but few are now secured. Those were the days of the Indian's prosperity, and he indulged in all kinds of luxuriant extravagance, and bought everything that suited his barbaric fancy. These conditions are changed—both the trader and the otter have gone.

From the greater hardships and dangers endured in trying to capture the sea otter, and the want of a proper food supply and other comforts, the native is rapidly disappearing.

While at this place the Indians presented to me a claim against the Government for a quantity of furs which they claimed were wrongfully taken from them by the U. S. man-of-war *Yorktown* on Unimak Island on July 23, 1892. The claim amounts to $1,750. I believe it to be a just one, and would recommend that an appropriation be made to reimburse these poor people.

Sand Point, situated on Popoff Island, consists of a custom-house, store, and warehouse and wharf. The deputy collector of customs, his wife, the storekeeper, and three Russian families make up the town. No natives live here. Codfishing is carried on from this point.

Unga village, on Unga Island, was once the center of a large fur trade. In 1890 the census report made the number of inhabitants as follows:

Russians and natives	100
Americans	48
Total	148

The Alaska Commercial Company have a store and are extensively engaged in mining in this vicinity. A public school is supported here by the Government, is carried on without reference to race or color, and from all that I could learn is supplied with an excellent teacher. The attendance is regular and the results are visible. It was gratifying to learn that the priest and the people of the Russian Greek Church, though of a far differing faith, were working in harmony with the Protestant teacher of this school.

The successful development of the mines in this district has brought an increase of white population now numbering about 200 in total. A justice of the peace and a deputy collector of customs should be located here.

Unalaska, located on Unalaska Island, 1,250 miles west from Sitka, is a village of 300 inhabitants, 50 of whom are white. A deputy collector of customs, a commissioner, and a deputy marshal reside here. A Methodist mission school is maintained at this place. The Greek Church has a schoolhouse and parsonage, and recently erected a new church edifice. The General Government is now building a new schoolhouse and will open a school free to all. This place is the central point of the Alaska Commercial Company for this district. From here this company ships goods to the Aleutian Islands, many places on the Bering Sea, and to the mining districts on the Yukon River in the interior. Unalaska is the most important seaport in Alaska in the summer season. Whaling ships call here on their way to and from the Arctic. Sealing and fishing schooners rendezvous here, and it is the headquarters for all the Government vessels while engaged in patrolling the Bering Sea.

The U. S. revenue cutters *Rush*, *Corwin*, *Grant*, and *Perry*, were in this port on the 4th of July, and gave the natives an object lesson in the way of a proper and patriotic celebration that will be to them a useful and pleasant memory. Captain Hooper being president of the day, everything was conducted in a true American style. All the ships in the harbor were beautifully decorated with bunting. In the forenoon a military parade took place, all the officers and men of the revenue service participating. The music, the marching, and the display were exceptionally good. The reading of the Declaration of American

Independence, the delivery of an oration, and the firing of a salute twenty-one guns from each ship closed the morning's programme. 2 o'clock p. m. a reception was held by the officers and Captain Hoop on board the *Rush*, after which boat and bidarka races amused t people. The Alaska Commercial Company gave a reception in the eve ing on shore at the hotel. No dissipation or disorder disturbed t harmony of the day. This celebration of the Amrican anniversary w pleasant and profitable for all, and demonstrated the patriotic spirit the irrepressible American, however distant he may be from civiliz environment.

Dutch Harbor, on Amaknak Island, is 2 miles from the village Unalaska. The North American Commerical Company has erected wharf and warehouses here, and does a large business in furnishi supplies to the shipping that call, and also to the surrounding counti

While on board the *Rush* on her cruise to the westward of Unalas we visited several of the Indian or Aleut villages. The dwellings these places are barabaras or sod houses. The natives subsist almo entirely on fish, and depend on securing a few sea otter skins, wi which to purchase blankets and clothing, and sometimes a box of ha bread or "pilot."

The country being scarce of fuel, the inhabitants have to rely drift wood, fish oil, and dried grass either for heating or culinary pu poses. Those who live near a trading post can buy coal in sm quantities.

The extinction of the sea otter and other fur-bearing animals in th region is inevitable, and these people having no other resources will left in a helpless and destitute condition. It has been the policy of t United States Government to protect and assist the American abori ines at all times and in all parts of the country, and it would certain be in accord with sentiments of the American people and the dictat of an enlightened humanity for the Government to ascertain the re condition of these people and lend them a helping hand. This shou be in the way of directing their energies toward new industries and improved and better methods of life, or assist them to more favorab locations; but not to pauperize or degrade them to the level of me dicants by giving a bounty on idleness or by teaching them to e bread they are not willing to earn. Give them an opportunity to he themselves only.

All along the Alaskan Peninsula and the Aleutian Islands for 1,0 miles can be seen semiactive volcanoes emitting blue and white smok which in the night assumes a more brilliant and interesting appe ance. Eleven years ago the island of Bogoslof, situated in Bering S near the Islands of the Four Mountains, came suddenly out of the wat and arose to the height of 1,000 feet, but it being composed of lava a ashes it has crumbled away until its present elvation is about 300 fe We sailed closed by and saw hot lava seething in the sea. An immen number of sea lions were collected in an estuary, probably on accou of the warmth they found there. The ship's crew fired a cannon b into their midst and, hitting none, they all sought safety in the sea.

SEAL ISLANDS.

Remaining a few days at Unalaska we enjoyed the generous hos tality of Mr. Rudolph Neuman, general agent of the Alaska Comm cial Company. Leaving there we arrived at the Seal Islands, situat in the Bering Sea 200 miles northwest of Unalaska, on June 18, sto ping first at the island of St. George. Captain Hooper, Mr. Murra

and myself went ashore in an open boat, there being no wharf. There we met Mr. Zebach, the assistant Government agent, and his wife; Mr. Adams, Mr. Webster, and Dr. Noyes, also Mr. J. Stanley Brown, agent of the North American Commercial Company, lessee of the Seal Islands. We were occupied all day in visiting the seal rookeries, the village, the school, the Greek church, and other points of interest. Few seals had arrived on the island, although it was past their usual time of coming. Leaving St. George Island in the afternoon, we came to the village of St. Paul, 40 miles distant, the same evening; Mr. J. Stanley Brown also came over to St. Paul on board the *Rush* with us. Here we met Mr. Crowly, the Government agent, and Mr. Judge, the assistant, both of whom reside on the island with their families. We had the pleasure of dining with these friends—Mr. Brown and others connected with the business on the island. It was surprising to find, away out on this verge of civilization, all the substantials, and the luxuries as well, that would appear on the tables of those who live in the centers of a cultivated society.

A roast of seal meat was prepared especially for Captain Hooper and myself. Of course we enjoyed it.

During my stay of two days on the Island of St. Paul I had ample opportunity of visiting the rookeries and to witness the driving and killing of the seals, and to learn much in regard to the seal islands, and of the nature and condition of the unique creatures which have attracted so much attention and caused such vexed international complications to arise concerning them.

I had read and been told much of the characteristics of the seals and the merits of the controversy over them, but a visit to these islands made clear many points as nothing else could. One may read of drives and killings, bulls and pups, the relation of hauling grounds to breeding grounds, the aquatic habits of the seals, causes of decadence, and many kindred matters, but full appreciation of them can only be obtained by supplementing literature and conversation with observation.

The details of seal life have been so often and ably presented that I refrain from touching upon them. There may be features which from a biological and natural-history standpoint are still obscure—I leave those finer points to the several naturalists who each year visit the islands—but there are some matters of far more importance connected with the seals and seal question which are so simple and so self-evident that no dispassionate and reasonably well-informed observer can fail to reach correct conclusions concerning them.

No one at all familiar with the past history of the islands can look upon the deserted rookeries to-day and not realize with crushing force how great has been the diminution of seal life, especially of the reproductive class, the females, and indeed this is admitted by all.

This continued diminution of the seals, its cause and the remedy are the great dominant points of interest at the present time. Fortunately the subject is not a complex one. It does not call for elaborate scientific research and need not now be made to rest on the personal equation of individuals, for the march of time has given us data of the most convincing and nonpartisan character. A knowledge of this evidence, aided by some personal observation and supplemented with common sense and honesty, is all that is required. The recent data upon the cause of the decrease in the number of seals is very explicit and easy of interpretation. It was vehemently insisted upon by the representatives of Canada and Great Britain in the presentation of their case before the Paris Tribunal that the excessive killing on land and

excessive driving of seals had chiefly wrought the ruin of the rookeri
If, for the sake of argument, it is admitted that the excessive land ki
ing and excessive driving of former years depleted the rookeries, how
it that although indisputable records show that the land killing of t
last six years has averaged only about 13,500 annually, as against 100,0
of previous years, and that the drives have not only been shortene
but greatly reduced in number by reason of the small quotas of ski
taken, the decrease has still gone steadily on?

Side by side with this diminished land killing and diminished dri
ing, the killing at sea has not only increased, but the killing last ye
in the Bering Sea, the most vulnerable point of attack, was the large
ever known in these waters.

The official inspection of skins taken by the pelagic sealers last ye
showed anywhere from 65 to 80 per cent of female skins, thus confir
ing previous investigations on that point. This spring many Americ
sealers made inaccurate returns as to the sex of the seals killed, but
correction of the erroneous returns was made through personal exa
ination of every catch by Mr. C. H. Townsend, an expert of the Unit
States Fish Commission and a gentleman of many years' acquaintan
with the seals and the seal question. This examination, which yield
the result given above, was made in the presence of the sealing ca
tains, who acknowledged the justice of the corrections. Again, in vie
of the fact of common observation that there are upon the breedin
grounds more mature males than would serve for breeding purpos
many times over, while near at hand are hundreds of half-grown bul
which, were there an excess of females, would be found associatin
with them, it is difficult to see how the increase of the herd could
retarded if every young, immature male seal on the hauling groun
were killed either with the club or by driving. These facts are matte
of record and are accessible to all, and in the face of them it is id
to seek explanation of the diminution of the seal in driving or la
killing, and there is no escaping the conclusion that now, as in t
past, the destruction is due to killing at sea, where discrimination as
sex is impossible. In my report of last year I referred to the destru
tion of the seals of the southern resorts by indiscriminate killing
land. Indiscriminate killing at sea is rapidly accomplishing the sa
end for these northern resorts.

So long as buckshot is being picked from the hides of young ma
killed on the Pribilof Islands and maimed and wounded seals li
about the hauling grounds, and so long as from 65 to 90 per cent of t
pelagic catches sent to London are females (none of which are ev
taken on land), it is needless to inquire further for the cause of demo
tion of the seals, both upon the hauling and the breeding grounds.

Acquaintance with the relation of the hauling grounds (where co
gregate the immature young males which are not allowed by th
elders to come on the breeding grounds) to the breeding grounds, a
a familiarity with the manner in which driving is conducted on la
makes it plain that no responsibility for decrease or danger to the l
of the herd lies in that direction. I did not see anything in the meth
of handling seals at the islands which would warrant the views as
decadency presented in the British case.

The rehabilitation of the rookeries would be an easy matter if ac
quate protection were afforded the females. The Russian records t
us that through defective methods of killing the seals were reduced,
1834, to a point where only a few thousand skins could be taken an
ally, but in spite of the long drives and the crude methods employe

when the slaughter of females was stopped and only young males taken the seals rapidly multiplied, so that the annual killing was gradually increased and the rookeries reached the magnificent proportions they were in when turned over to the United States in 1867.

History can repeat itself in this matter of the restoration of the Alaskan seal herd, but not unless better protection is granted than that afforded by the findings of the Paris Tribunal. The seals are compelled to seek their food beyond the 60-mile limit, and August is the very time when the mothers who are nursing their young resort to the sea for food in largest numbers. The young bachelors can lie upon the hauling grounds with but little drain upon their vitality, and, indeed, with them it seems to be a time of training in endurance for the future; but the mothers have the double task of self-support, and the feeding of their nursing offspring for months. In addition to this it is by no means certain that the young females do not spend the most of their time at places in the sea where food supply is abundant, which brings them within the reach of the pelagic hunter. The seal industry is one which could be perpetuated for all time and furnish employment and profit to thousands of artisans all over the world, and its wanton destruction is all the more deplorable when it is remembered that it is accomplished without adequate returns to the destroyer. So great has been the diminution of seal life that the catch along the northwest coast by the American vessels this spring did not reach 100 skins per schooner, while the catch of British vessels was not over 200 per vessel. Their only hope of saving themselves from loss was Bering Sea, and as the supply of seals here is greatly diminished, Great Britain gave to the Canadian sealers increased facilities by availing herself of a technicality, and violating the clear intent of the Paris regulations relating to firearms.

It is not to be supposed that sealers who are allowed to carry unsealed arms in the Bering Sea will not use them and run the risk of detection.

When the Canadian authorities secured from England what is practically a repudiation or at least a negation of the Paris Tribunal, they knew it would be possible for British Columbian schooners coming from the Asiatic side of the sea to use the allowed firearms and evade detection by asserting that the skins found on board with shot wounds while in Bering Sea were skins taken on the Japan coast.

The remedy for the evil which is certainly and rapidly destroying this magnificent industry, which has paid more money into the Treasury than it cost to purchase Alaska, is a very simple one, but under existing conditions its application is difficult unless Great Britain has forfeited by her recent action all right to consideration, and the United States Government holds with a firm hand all vessels found engaged in destroying the seals. If the seal-skin business is to be saved the taking of females must cease. The remedy laid down by the Paris Tribunal has been tried and has thus far proved a failure. No restricted killing on land will save it, while the slaughter of the females and the consequent death of the young now going on is making bare every rookery on the Pribilof and Commander Islands.

In view of the fact that killing in Bering Sea seems likely to go steadily on, and that there is an abundance of male life suitable for breeding purposes, and that the driving of young, immature males from the hauling grounds does not in any way interfere with the natural order of things on the breeding grounds, as every seal skin on the islands is marketable one year and if not taken is lost to the Government next year, through maturing and pelagic sealing, I would recommend

that the Treasury Department issue such instructions as will insu the taking, between the 1st of June and the 10th of August of ea year, every marketable seal skin on the Pribilof Islands. Fifte thousand seal skins were taken on the islands of St. George and S Paul this season, and 38,000 were taken by the poaching schooners i the open sea, 75 per cent of which were females.

The material welfare of the native inhabitants is well provided fo and the North American Commercial Company, the present holders the lease, seem desirous of complying in the fullest manner not on with the letter but with the spirit of the contract.

In round numbers St. George has a population of about a hundre while St. Paul has double that number. The annual census for the pa six years shows a gradual increase. On each there is a neat village wooden houses, the church and schoolhouse occupying a central pos tion. These little communities give one the impression of New Englan villages. This may be accounted for by the fact that they were lai out by a Connecticut man. At each island the United States Gover ment has a resident agent, and the company, in addition to its corps officers, maintains also a resident physician and school teacher. The is also a store at which all the substantial articles of life can be pr cured at reasonable rates.

The Government now supplies the natives 310 tons of coal, and t company under their lease gives 80 tons more. With free lodgings, fr coal, free school, free medical attendance, an income of 50 cents p pelt, and an additional appropriation by the Government, these peop are better provided for than any natives whom I saw in western Alask They are in marked contrast with people of other native settlement

Some progress is being made in teaching English. All the childr are required to attend the English school eight months in the year. can not but feel that it is a mistake to continue the school in summe the only period when the children can run about in the open air. the winter it would seem far better to have them in the large, we warmed schoolrooms than at home. The schoolhouse is in the villag and there can be no objections on account of distance.

Every possible courtesy was extended to me and every opportuni given, both by the representatives of the Government and the compan to acquaint myself with every detail of life on the islands. The prese arrangement of leasing the islands seems to be the best that could devised for all parties. One can not but reflect how difficult a matt it will be to provide for this group of natives when the seal shall ha become a thing of the past.

The Government of the United States has acted in good faith in tr ing to enforce compliance with the regulations agreed upon by the Pa arbitration. The patrol of the North Pacific Ocean and Bering Sea h been extensive and thorough—by the United States Navy in 1893 a 1894 and by the United States Revenue-Cutter Service during the prese season. The *Albatross*, of the United States Fish Commission, co manded by Captain Drake, United States Navy, rendered importa service in the Bering Sea.

FISHERIES.

The fishes in the waters of Alaska are one of the richest resourc of the Territory. The salmon alone taken and prepared for the ma ket by canning or otherwise gives an annual return of $3,000,00 More than a hundred species of food fishes swarm in the rivers and i the sea.

There are 25 salmon canneries in operation and a number lying idle in Alaska, representing a capital of over $5,000,000 invested in buildings, machinery, boats, nets, steamboats, ships, and other paraphernalia which go to make up a salmon-cannery plant.

Six hundred and seventy-five thousand and forty-one cases (forty-eight 1-pound cans to the case,) and 32,011 barrels of salmon were caught and shipped from Alaska last year. We have detailed reports from only 16 of the 25 above-mentioned canneries, and the number and kind of employees are shown to be as follows:

White men	810
Indians (natives)	505
Chinese	1,027
Total	2,342

About $40,000 is paid yearly to the Indians of Alaska for labor and fish.

It is too early to ascertain the number of cases packed for 1895, but from what information we have it will be about the same as the preceding year. Some fears are expressed that the taking of so large an amount of salmon will exhaust the supply and permanently destroy this valuable food product. Hon. Marshall McDonald, United States Commissioner of Fish and Fisheries, says in this connection in his report for 1894, page 15, that—

> It is a wise policy on the part of the State to encourage the largest catch that can be permitted consistent with maintenance of supply to impose no unnecessary embarrassments or restrictions upon the fishermen, yet at the same time to insist upon such protective regulations and restraints as may be found necessary to prevent the serious impairment of an important industry by the operations of the fishermen. The fishermen themselves, who have such important interests at stake and the security and profit of whose large investments depend upon the maintenance of the salmon supply, should be prompt to propose and vigilant to enforce such regulations as may be necessary to this end.

The nature of the protective regulations which can be enforced, with the least restraint or embarrassment to the salmon fisheries and cannery industries, can best be evolved from the experience of the fishermen and the cannery people themselves.

One of the first salmon fisheries established in Alaska was on a small river near Sitka. A large number of salmon were taken from this stream for several years until, by excessive fishing, it became exhausted and ceased to yield enough fish to remunerate the fishermen, and all operations were suspended for three years.

At the expiration of that time fishing was resumed, when the salmon were found to be more abundant than at any period in the history of the stream.

The conditions and impediments referred to by Dr. Livingston Stone in a paper published in the report of the United States Commissioner of Fish and Fisheries, 1893, as being the cause of the decadence and extinction of the salmon in the waters of New England and the Atlantic coast do not exist in Alaska.

Steamboats, mills nor factories are in sufficient numbers to impede the water or molest the freedom of the salmon in this Territory. There is no doubt that the productiveness of an exhausted stream can be fully restored, and salmon taken from its waters in quantities quite as large as at any former time by closing operations for a period of two or three years or whatever time experience may determine.

In legislating on this subject the objective point should be the protection of the spawning grounds, and the preservation of a sufficient

number of fish to furnish roe in such quantities as will perpetuate th supply of young salmon, always keeping in view the fact that th salmon exist only for the purpose of perpetuating the species, and whe they have reached the hatching grounds and deposited their eggs the have fulfilled the purpose of their being and die. Less than 10 pe cent of either the male or female survive or return to the sea.

The act of Congress approved March 2, 1889, which provides for th protection of the salmon fisheries of Alaska has been observed an complied with so far as I have been able to learn.

Large codfish banks have been found in the North Pacific Ocean, an Bering Sea appears to be alive with cod and halibut.

The following is the exhibit of statistics of Alaska salmon pack season 1894:

Statistics of Alaska salmon pack, season 1894.

Name.	Location.	Number of men employed.			Apparatus used.	Number salmon taken.		
		White.	Native.	Chinese.		King.	Red.	Silver.
Bristol Bay Canning Co..	Nushagak	60	41	87	Gill nets..	3,000	283,000	18,0
Alaska Packing Co.....	.....do	62	40	90	....do	4,500	270,000	15,0
Arctic Packing Co.....	.....do	58	45	85	....do	3,000	307,000	14,0
Do.....	Naknek.....	15	.....	.....	....do	.....	128,550	.....
Thin Point Packing Co..	Thin Point	18	17	.....	Seine	.....	125,950	.....
Karluk Packing Co.....	Karluk	100	50	132	....do	.....	1,066,000	.....
Hume Packing Co.....	.....do	92	48	132	....do	.....	1,066,000	.....
Arctic Packing Co.....	Alitak.....	35	17	52	....do	.....	300,000	.....
Arctic Fishing Co.....	Kusiloff	56	40	75	Gill net...	15,500	283,000	19,0
Chignik Bay Packing Co.	Chignik	60	26	124	Gill net and seine.	.....	600,000	.....
Pacific Packing Co.....	Prince Williams Sound.	65	33	60	....do	2,000	270,000	17,0
Pyramid Harbor Packing Co.	Pyramid Harbor..	74	61	70	Gill net...	7,000	340,000	11,0
Glacier Packing Co.....	Fort Wrangell....	31	51	55	....do	6,000	80,000	126,0
Alaska Salmon Packing and Fur Co.	Loring.....	25	36	65	Seine	.....	37,000	205,0
Point Roberts Packing Co.	Koggiung	25	.....	.....	Gill net...	.....	134,000	.....
Ugashik Fishing Station.	Selina River	34	.....	.....	Gill nets and seine.	.....	112,850	.....
Total	.....	810	505	1,027	.....	41,000	5,403,350	425,0

Name.	Cases.	Barrels.	Steamers.	Lighters and boats.	Value.	Nets.		Sail tonnage employed.	Value of plant.
						Number.	Value.		
Bristol Bay Canning Co..	30,999	.....	1	40	$12,000	80	$4,000	940	$91,0
Alaska Packing Co.....	30,038	.....	1	42	12,000	84	4,200	632	91,0
Arctic Packing Co.....	30,413	420	1	41	10,000	82	4,100	1,072	91,0
Do	.....	2,571	1	8	13,000	16	800	554	2,5
Thin Point Packing Co ..	.....	2,519	1	10	6,000	4	800	263	20,0
Karluk Packing Co	79,000	.....	3	47	30,000	15	3,000	1,831	136,5
Hume Packing Co.....	79,000	.....	2	48	20,000	15	3,000	1,830	120,2
Arctic Packing Co	27,720	.....	1	20	10,000	4	800	1,161	52,0
Arctic Fishing Co.....	34,033	354	2	40	16,000	80	4,000	1,129	32,5
Chignik Bay Packing Co.	55,352	.....	2	24	19,000	90	4,500	1,536	71,5
Pacific Packing Co.....	28,378	4	3	40	25,000	70	3,500	1,276	39,0
Pyramid Harbor Packing Co.	38,781	.....	1	25	16,000	50	2,500	1,182	39,0
Glacier Packing Co.....	25,250	20	1	14	13,000	30	1,500	636	27,3
Alaska Salmon Packing and Fur Co.	26,869	.....	.....	8	2,000	4	800	771	52,0
Point Roberts Packing Co.	.....	2,680	.....	6	1,200	3	600	234	1,5
Ugashik Fishing Station.	.....	2,257	.....	6	1,200	3	600	310	1,5
Total.....	485,833	10,825	20	419	206,400	630	38,700	15,357	868,55

Statistics of Alaska salmon pack, season 1894—Continued.

ESTIMATED.

Name.	Location.	Cases.	Barrels.
C. R. Whitney & Co	Nushagak		650
Prosper Fishing and Trading Co	Kvichak		2,000
L. A. Pedersen	Naknek		2,640
Behring Sea Packing Co	Ugashik	17,394	
Charles Nelson	do		2,600
Norton Teller & Co	do		596
Lynde & Hough	Shumagin Islands		30
Oliver Smith	Kadiak Islands		2,000
Alaska Improvement Co	Karluk	44,300	45
R. D. Hume & Co	Tanglefoot Bay	26,984	
C. D. Ladd	Cooks Inlet		2,064
Pacific Steam Whaling Co	Prince Williams Sound	35,000	
Peninsular Fishing and Trading Co	Copper River	15,000	
Baranoff Packing Co	Baranoff Island	10,910	
North Pacific Fishing and Trading Co	Klawak	13,620	61
Boston Fishing and Trading Co	Yes Bay	12,000	
Metlakahtla Industrial Co	Metlakahtla	14,000	
Miller & Co	Cordova Bay		1,800
Cape Fox Packing Co	Cape Fox		2,000
Various	Southeastern Alaska		4,000
Tolstoi Salting Station			700
		189,208	21,186

MINES AND MINING.

The amount of gold produced from the mines of this Territory during the past year has done much to confirm the opinion that Alaska is a profitable and will be a permanent mining country. Capitalists of experience in the business of mining gold from other fields have visited this country and have become interested in the development of Alaska mining property.

In the Harris mining district at Juneau, the Treadwell and Mexican have exceeded their product of last year, and the mines in the Silver Bow Basin have made more profitable returns. The Juneau Mining Company have erected a new quartz mill of 30-stamp capacity, driven by water power, and are now crushing 115 tons of rock each twenty-four hours, at a cost of $1.75 per ton. The Sheep Creek mine is a profitable ledge producing both silver and gold. The Sumdum mines, situated about 50 miles south of Juneau, have been developed during the past season and have proven to be a profitable investment.

Berners Bay Mining and Milling Company's mines are situated in the Berners Bay mining district, about 60 miles northwest of Juneau. These mines comprise a group of some 30 locations situated about 3 miles from the seacoast and connected therewith by a narrow-gauge railroad 2½ miles long and a wire tramway from the termination of the railroad to the Comet mine, and a surface gravity railroad from the Bear System to the mill. The mill is of 40 stamps, with a capacity of 120 tons a day, and the ore is gold bearing of a high grade. The major portion of the gold is recovered in the batteries and on the plates, and the balance by concentration over vanners. The company is made up of Boston and New York capitalists, and is capitalized at $1,000,000. Extensive development work is being carried forward with the view of enlarging the milling capacity in the near future, and the showing is most encouraging, generally speaking.

The Sitka mining district, on Baranoff Island, contains large deposits of gold-bearing quartz rock, on which a number of mining claims have

been located and development work commenced. On the property of the Lucky Chance Mining Company a 5-stamp mill has been erected, from which the product has been satisfactory. This will in the near future be an active mining camp.

The mining property of the Apollo Consolidated Mining Company is located on Unga Island, one of the Shumagin group, situated 1,000 miles westward from Sitka. This company has an unlimited amount of gold-bearing rock, favorably located near the water front of Unga Bay. By an expenditure of a large amount of capital and labor, ably and skillfully managed, this mine has been brought to such a condition of excellence that it can be operated with great economy and large profit. Two thousand five hundred feet of tunnels, with tramways, have been completed, waterworks, steam compresser, offices, and dwelling houses built, and lastly a 40-stamp quartz mill erected and put in operation, which is now producing monthly $30,000 in gold. About 120 men are employed at the mine all the year through.

COOKS INLET.

This is a placer-mining district situated on the mainland 600 miles west of Sitka. For several years small amounts of fine gold have been found along the north Pacific Coast. In the fall of 1894 it was rumored that rich deposits of the precious metal had been discovered, and during the spring and summer of this year about 300 miners visited that locality for the purpose of working the placers of which they had heard such glowing reports. But they were doomed to disappointment, and failed to find gold in paying quantities. After enduring much hardship and privation they returned home and the placer mines of Cooks Inlet are deserted.

YUKON DISTRICT.

The valley of the Yukon River is without doubt the most extensive field of placer mines discovered since the finding of gold in California. The precious metal has been found at different places in the valley of this river, covering a distance of 800 miles. The great obstacles to successful mining in this district are the shortness of the season for actual work and the perpetually frozen ground. The earth requires to be thawed with fire before it can be mined. With these difficulties to contend with good prospects do not always yield favorable results.

Notwithstanding these unfavorable conditions, the long, cold winters and the long distance from the base of supplies, the Yukon country is destined to be a prolific gold-producing district. We have not ascertained the exact number of miners living in that part of Alaska, but from our best information we would estimate the number to be about 1,500. Except one inspector of customs the Government of the United States has no official in that region.

The gold mines are 1,000 miles distant from Sitka, the capital of the the Territory, with no way to reach there but by going over the mountain pass on foot and float down the river in a canoe, and that only during one-half of the year.

This condition renders it entirely impracticable for the civil government of the Territory to exercise any authority or administer the law either in the judicial or other departments in that part of the Territory. The pioneer gold miners are an honest, industrious, and intelligent body of men, who never permit a crime to go unpunished or a good *deed unrewarded*. But this primitive condition will soon have passed

and others than honest miners will assume to rule the country, and the restraints of law will be needed.

The Indians of the Yukon country are a harmless and peaceable people, and we fear no trouble from them; yet in the absence of all civil government I would suggest the propriety of the Government establishing a military post of one company of fifty men at some point in the Yukon Valley, to remain until the country is further developed and its needs become known. We would recommend the establishing of a mail route between Chilkat or Chilkoot to Circle City, in Alaska, the mail to be sent from each point once every two months, as per a schedule now on file in the Post-Office Department at Washington, D. C.

The following advice and table of distances, taken from the Juneau Mining Record, is hereby attached for general information:

The following table shows the distances from Juneau to the various points named on the only practicable route to and down the great Yukon Basin, and is republished for the information of the scores of inquirers who weekly address the Mining Record upon the subject of the great auriferous regions of the far Northwest.

This is no poor man's country. No one should arrive here with less than $500. The road is long, supplies are costly, seasons are short, and fortune fickle. Failure to find gold the first season entails suffering upon those whose funds are insufficient to carry them through the long winter when absolutely nothing can be done. Not one in a hundred makes a strike the first season.

Inexperienced persons, unless prepared for long-extended delays, should stay away. Gold finding is a science which can be acquired only in its native fields, and the art must be mastered elsewhere, for in Alaska there is no time for pondering. Action must be quick and sharp or the season is lost.

	Miles.
Haines Mission (Chilkat)	80
Head of canoe navigation	106
Summit of Chilkoot Pass	115
Lake Linderman	124
Head of Lake Bennett	129
Foot of Lake Bennett	155
Foot of Caribou Crossing	158
Foot of Takou Lake	175
Takish House	179
Head of Mud Lake	180
Foot of Lake Marsh	200
Head of Canyon	225
Head of White Horse Rapids	228
Takaheena River	240
Head of Lake Le Barge	256
Foot of Lake Le Barge	289
Hootalinqua	320
Cassiar Bar	347
Little Salmon River	390
Five Fingers	451
Pelly River	510
Stewart River	630
Forty Mile	750

While no actual survey has ever been made of this route, the distances given have been carefully estimated by competent travelers and will be found approximately correct.

ALASKA BOUNDARY.

The people of Alaska, and of the whole country, expect and believe that the Government of the United States will defend and maintain our right to all the territory included within the boundary line fixed and agreed upon by treaty made between Great Britain and Russia in 1825 and acquiesced in for nearly three-quarters of a century without question or dispute.

A joint commission has been appointed by the Governments of the United States and Great Britain to survey and ascertain the exact

location of the original boundary line between Alaska and British Columbia, and as this joint commission is expected to make a report at an early day we deem it right and befiting to defer discussion until the report of the commission may be heard.

EDUCATION.

The Government schools throughout the Territory were well conducted during the past year. The school buildings are all in good repair, having modern school furniture, stoves, fuel, and all that is suitable and comfortable for the people that attend. Competent and experienced teachers are employed and the advancement made by the native children in deportment, dress, cleanliness, and civilized manners was marked and greater than in any former year.

But 29 Government schools were in session, although there are good schoolhouses belonging to the Government at Klawak, Kake, and Karluk. No teachers were employed or schools opened at these places for the reason that the appropriation for education of children in Alaska was not sufficient to allow the expense. New school buildings have been needed for a long time at Unalaska, Kitchikan, and Douglas City. These buildings have been contracted for and the one near Kitchikan will soon be finished. This reflects great credit on the Educational Department at Washington, D. C., and will be a lasting benefit to the people where these buildings are located. Ten years ago, when the Government schools were first established in Alaska by the Rev. Sheldon Jackson, it was difficult to have the children attend the schools, and when the parents were solicited in regard to the matter they demanded pay to let the children go. This is not strange when we understand that the underlying principle of native jurisprudence is compensation. Nothing is given away, no labor performed or favors granted without pay, and there is no crime that a native can commit, murder included, which can not be condoned with blankets or their equivalent, and when an injury to the person or a crime against the tribe is not settled for, punishment will be inflicted on the accused or some of his friends or family in kind and quantity of the damage or crime charged.

The natives now begin to realize that the schools and missions have been established and maintained for their good and not for the benefit of the teacher, or to gratify a whim of the white people; so seeing the advantages of a little learning they are willing and anxious to have all their young people attend the Government schools.

The Sitka training and industrial school for native children supported by the Presbyterian Board of Home Missions is accomplishing great good in this community. Rev. A. E. Austin is the minister in charge, and Prof. U. P. Shull is its superintendent. This school sustains its reputation for thoroughness and efficiency in the work of teaching the inmates the rudiments of an English education, and also in training them in a knowledge of the mechanical arts and habits of industry. We regard the matter of teaching the native how to work as the most important and civilizing part of his education. This institution boards, clothes, and schools 160 children of both sexes. The Presbyterian Board of Home Missions also maintains a mission and home for native children at Juneau, Haines, and Jackson, Alaska.

The Society of Alaskan Natural History and Ethnology was organized October 24, 1887, having for its object the collection and preservation, in connection with the Sitka training school, of specimens illustrative of

the natural history and ethnology of Alaska and publications relating thereto. This society has succeeded in gathering a very valuable collection of Alaskan curios and skins, specimens of Indian and Eskimo handiwork, all sorts of ivory carvings, and in fact representative curios from all parts of Alaska are in this very valuable collection. For several years this accruing collection has been kept in a small wooden house which was much too small to serve as a museum building, and the need of better quarters has been apparent to the friends of the society for a long time. Dr. Sheldon Jackson has solved the problem, however, and to his generosity the society is indebted for a large and commodious structure.

This building is located at Sitka, being built of concrete walls, is octagon in shape, and has a floor of the same material. It is consequently fireproof. The interior shows a diameter of 62 feet and a height in proportion. The hip roof is capped with an observatory and flag mast, and the whole cost of erection has been $5,000. This is certainly a well-directed effort, and the people should appreciate and help this worthy undertaking.

CHURCHES AND MISSIONS.

Ten different denominations are represented in this field by ministers and teachers. Presbyterians are located at Sitka, Jackson, Wrangell, Saxman, Juneau, Point Barrow, St. Lawrence Island, Hoonah, and Haines; Congregationalists at Cape Prince of Wales; Episcopalians at Point Hope and Anvik and Fort Adams on the Yukon River; Methodists at Unalaska, Unga; Baptists at Wood Island; Friends at Douglas City and Kake Village; Moravians at Bethel, Ugavig, Quinehaha, and Carmel; Swedish Evangelical Church at Yukatat, Golovin Bay, and Unalaklik.

The Greco-Russian Church has twelve organized churches with ordained priests, also chapels at almost every native village in the western part of Alaska. Local preachers officiate in these chapels.

While I was at Unalaska I had the good fortune to meet Rev. Fathers Tosi and Barnum, who are in charge of the Catholic missions in the Yukon River region, and who kindly gave me the following information:

The Catholic Church has missions located at Forty-Mile Mining District; Rev. Father Monroe at Nulato, on the Yukon River; Rev. Father A. Ragaru at Holy Cross boarding and day school, on the Yukon River; Rev. Father Crimont, with four male assistants, maintains a girls' school there with Sister M. Stephen as superior. Six sisters teach in this school.

At Shageluk River, Rev. Father Judge has charge of a mission, as has Rev. A. Roberts on the Kuskokwim River. Rev. Joseph Treca is superintendent of St. Joseph's boarding and day school at Akularak, Yukon Delta. He has three male assistants. A girls' school is also kept here under the charge of Sister M. Zypherine, superior, assisted by three other sisters.

At Tununa, Cape Vancouver, and Eskinak, Rev. A. Parodi; at St. Michael's, Norton Sound, Rev. Francis Barnum, and at Selawik River district, Kotzebue Sound, the station is being erected. Ten fathers, seven brothers, and eleven sisters, twenty-eight in all, are engaged in the mission work in that part of Alaska. A day and boarding school is maintained and taught by the Sisters of St. Ann in the city of Juneau. This school has an excellent reputation and is largely patronized by the residents of that place.

The following letter gives information in regard to mission work in western Alaska and the Yukon district, and it is herewith attached:

SOME NOTES ON THE CATHOLIC MISSIONS IN ALASKA.

The foundation of these missions on the Yukon date from 1886. The fathers entered the Yukon Valley by way of Juneau, and first settled at Nulato, where a small day school was started. In 1888–89 a new site was selected lower down the river and called Holy Cross Mission. This is situated about 350 miles from the mouth of the Yukon. Four Sisters of St. Ann arrived, and a boarding school was started which has proved to be most satisfactory. All the traders along the entire river availed themselves of this opportunity to send their children to school Soon about 40 girls and 30 boys were collected. Several of these were very young; some only 3 to 4 years. The majority remain all the year. Only a few of the children of traders go to their homes during the vacation season. With the increase of pupils extra help was needed and seven more sisters were sent up. The girls are taught how to sew and to make their clothing, and are also instructed in their native fur work, bootmaking, etc., by an Indian woman who has been with the sisters from the start. The sisters cultivate a large garden, which produces potatoes, turnips, cabbage, cauliflower, radishes, and carrots. Experiments with other vegetables are made and a large variety of hardy flowers have been raised with great success. The fathers have also an extensive garden. This year one entire acre has been planted with potatoes. Timothy has been introduced and its prospects are most favorable.

The garden work is carried on entirely by the children. The natives of the neighboring village begin to show some little interest in gardening, but as yet none have acted on our advice to attempt a garden for themselves. They have coined a word meaning "big leaves" by which they designate cabbage, and are yet resting after this first agricultural effort. As an object lesson for them we transplanted a number of wild raspberries and currants in a corner of the garden and hope to improve these fruits by cultivation.

The children are taught to read and write and the simple rules of arithmetic. They all, as a rule, write very beautifully, and also readily learn drawing. English is always spoken, and in a very short time there will hardly be found a village on the Yukon where a few English-speaking young people are wanting. In connection with the boarding school at Holy Cross, there is also a day school. This is held in a distinct building and is for the children of the adjoining village. The average attendance is about 30, and a number of women come very regularly. These receive a lunch of bread and tea in the middle of the day. Last year a school was started in the Delta region for the benefit of the coast Eskimo. Four sisters have charge, and the routine, etc., is carried on exactly as at Holy Cross. There are two villages situated about forty-five minutes' walk from the school, and the children come with great regularity. Only a few as yet have been admitted as boarders, for experience teaches that it is better to keep them for a while on probation as day scholars. The Eskimo are most devoted parents, and very loth to surrender their offspring. When little by little they see the benefit their objections fade away.

The teacher and the missionary, the church and the school have exerted a more potent influence for the elevation, civilization, and education of the Alaskan native than any and all other forces combined, and I would recommend that the appropriation for the education of children in Alaska, without reference to race, be increased from $30,000 to the sum of $40,000.

Every dollar that has been appropriated by Congress for education of children in Alaska has been carefully and judiciously disbursed.

REINDEER.

The project of stocking northern Alaska with domesticated reindeer from Siberia has now been in progress for four years and each succeeding year demonstrates its success more and more. There are now three herds in arctic Alaska, making in all about nine hundred. One of the herds is under the care of Eskimos exclusively. At the present rate of increase it will not be many years until each settlement in that region will have a herd of domesticated reindeer to draw upon for a partial supply of food.

In this enterprise the United States Revenue-Cutter Service has heartily cooperated with the Bureau of Education. Much praise is also due to Capt. M. A. Healy, commander of the U. S. revenue cutter *Bear*, for the energy and ability with which he has cooperated with Dr. Jackson, who is in charge of the movement.

INTOXICATING LIQUORS.

The importation, manufacture, and sale of intoxicating liquors in the Territory of Alaska is prohibited by the laws of the United States. The enforcement of these laws has proven to be a difficult matter.

When anyone has been charged with the offense of selling intoxicating liquors to white men, or of manufacturing malt beer, the grand juries have uniformly refused or neglected to find a true bill of indictment, and the offender goes without punishment. Both the venders of intoxicating liquors and the manufacturers of malt beer, when arrested for violating the law, set up the defense that their business is a lawful one, and that it is carried on with the sanction of the Government, and in proof of this they will offer in evidence Government receipts issued by the Commissioner of Internal Revenue, or his deputies, for money paid into the Treasury of the United States.

This special internal-revenue receipt confers no right or privilege or license to import, manufacture, buy, or sell intoxicating liquors in Alaska in contravention to the local law or the law of Congress, as applied to Alaska, prohibiting the same. The grand juries have taken the position that Alaska has no local law, and that any law of Congress is equal to any other law enacted by the same authority, and that when anyone has complied with the requirements of the internal-revenue law he is not subject to indictment for violation of the prohibiting act, and this appears to be in accord with the sentiment of the people, a large majority of whom are not in sympathy with the prohibitory laws.

The collector of customs for the district of Alaska has been faithful and vigilant in the discharge of his official duties in trying to suppress the smuggling of intoxicating liquors into this Territory and has used all the means under his control for that purpose. A United States revenue cutter has been cruising in the waters of southeastern Alaska during part of this summer on the lookout for the small craft by which the smuggling business is carried on. Notwithstanding the efforts of the collector of customs, his deputies, and the presence of a United States cutter, this illicit traffic appears to suffer no abatement.

At almost every term of United States court held in the Territory since the inauguration of the civil government, eleven years ago, there have been a number of persons held under bonds to appear and answer to the charge of selling intoxicating liquor in the Territory of Alaska in violation of the statutes of the United States made and provided.

Up to the present hour not one of all the accused have ever been indicted, tried, or convicted of that offense when the vendee was a white man. The liquor traffic in Alaska, carried on as it is in violation of existing law, has a most demoralizing effect upon the people, both white and native. It begets a disregard of all law, and has fostered smuggling and the clandestine importation of intoxicating liquors into the Territory, until the illicit traffic has become so well organized that it is almost impossible of detection.

Some laws should be enacted by Congress by which the business of importing, manufacturing, and selling intoxicating liquors in Alaska

should be restricted, regulated, or controlled, and the traffic in smuggled goods and liquors forever destroyed.

As it now is liquor of all kinds can be obtained at any white settlement in any quantity. Two thousand barrels of malt beer were manufactured at Juneau, Alaska, during the past year. The internal-revenue tax was paid as follows: Juneau, liquor dealers 25, brewers 2; Douglas City, liquor dealers 10, brewers 1; Sitka, liquor dealers 5, brewers 1; Wrangell, liquor dealers 1, brewers 1. But two permits were granted this year by the governor to sell liquors for medical, scientific, and mechanical purposes; one at Sitka, the other at Unga.

All the officers of the civil government in the Territory of Alaska have performed their official duties with zeal and fidelity. Mr. Lytton Taylor, the United States district attorney, resigned, and Mr. Burton E. Bennett, a gentleman of legal ability, has been appointed in his stead.

GOVERNMENT BUILDINGS.

The Government buildings at Sitka need to be repaired, and the jail building at Wrangell must have immediate attention.

New buildings should be erected at Unalaska and Kadiak, for the use of the United States commissioners, the United States deputy marshals, and for jail purposes.

POPULATION.

The census of 1890 made the number of white people in the Territory of Alaska 4,298. By the most careful estimate we would compute the number of the white population at the present time to be 8,000 and the Indians, 23,000.

LEGISLATION.

We would respectfully recommend that Congress pass an act without delay making provision for the incorporation of municipalities, providing for and giving such powers as are by usage exercised by similar corporations. The city of Juneau is a mining town of 2,000 inhabitants, without any organized or local government whatever. The recent increase in the population at that place makes the necessity of some kind of protection imperative.

The governor of the Territory should be empowered to appoint justices of the peace and constables. I would also recommend that the President of the United States be authorized to appoint a commission of five to propose amendments to the "organic act" and to draft a code of laws, civil and criminal, for the government of the Territory, and that a sufficient amount be appropriated out of the Treasury of the United States to bear all reasonable expenses of the same, and such report to be submitted to the next session of Congress for their approval, and unless approved by act of Congress such report shall be void.

Very respectfully, your obedient servant,

JAMES SHEAKLEY,
Governor of Alaska.

The SECRETARY OF THE INTERIOR.

REPORT

OF

THE GOVERNOR OF ARIZONA.

TERRITORY OF ARIZONA, EXECUTIVE OFFICE,
Phœnix, Ariz., September 26, 1895.

SIR: In compliance with the request made in your letter of instruction, dated July 1, 1895, I have the honor to submit the following report of the affairs, progress, and development of the Territory of Arizona for the fiscal year ending June 30, 1895, together with such suggestions and recommendations touching the interests of the Territory as I deem worthy of your consideration and the action of Congress.

Respectfully,

L. C. HUGHES,
Governor.

Hon. HOKE SMITH,
Secretary of the Interior.

ARIZONA—ITS AREA AND RESOURCES.

Arizona is the sixth largest political division in the United States, embracing an area of 113,000 square miles, or 72,320,000 acres. Its resources are unlimited, and its mountains are the depositories of gold, silver, copper, lead, onyx, marble, and precious stones. It contains nearly 40,000,000 acres of grazing land, much of which is a perpetual pasture, unknown to frost or snow, on which are maintained vast herds of stock. Its valleys comprise an area of more than 10,000,000 acres of land which, when brought under cultivation, gives marvelous returns in grain, fruits, and other products of the soil, there being in the southern part eleven months of growth, and in some sections a perpetual season of seedtime and harvest, yielding annually the maximum of the soil's productive power.

It contains the largest unbroken forest area in the United States, there being from eight to ten thousand million feet of standing saw lumber. The climate is pure and dry, and is marvelous for its health-preserving and restorative conditions, being free from every character of epidemic and contagious disease. Animal life, like vegetable life, is highly favored, and as a result remarkably fine stock, especially horses, are produced in this region, which bid fair to challenge the world's record for speed and endurance.

With these climatic and other rare physical conditions, with such a vast storehouse of wealth of royal and other metals, forest area, and grazing and agricultural resources, it should not be a matter of surprise that this region rightly claims a history or a civilization which antedates the Christian era—yes, and probably the Egyptian and Assyrian

dynasties, for truly this is a favored portion of the earth's surfac Here are found the silent marks of a prehistoric civilization, of myriad of people, the remains of cities, systems of irrigating canals, and exten sive areas of land formerly watered and cultivated from the sam Hence we have the pioneer civilization of the nineteenth centur reclaiming a region of a once powerful civilization which centuries ag lapsed into mystery, darkness, and doubt. It is not at all remarkabl that this region was the home of an early civilization, for its climati conditions are conducive to the most perfect vegetable and animal lif and the longevity of man. The centenarians among the natives o to-day are strikingly frequent.

There is no other land where so strong an impression is made on th higher nature of man. Natural phenomena are apparent on every hand Vast plains, towering, rugged, and weird mountains, mighty gorge thousands of feet in depth, peaks piercing the clouds, extinct volcanoes bottomless pits, petrified forests, mineral springs, and streams in larg numbers, and above all an atmosphere so pure and clear that nowher else can scientists study the celestial world with such marked success.

Hence, while Arizona is a most favored region in its varied physica climatic, and wealth resources, it ought to produce in the present an future the highest type of man, for in addition to nature's bounty w stand upon the grounds of a past civilization, which ought to admoni us that we must build better than they if we would perpetuate o civilization for all time to come, and this is the hope and the aim of o good people. It is no idle boast to claim that Arizona will give to t United States a future type of citizens that will challenge the admir tion and respect of the people of every State of the Republic, and h tory will again repeat itself in "the rejected stone becoming the he of the corner." In this every section of our country can share t credit, for our present population is made up largely of the sons a daughters of every State in the Union, and as such they are as a r self-reliant, courageous, and strongly individualized men and wome with well-defined convictions on all subjects of social, moral, politic and religious thought, and more especially on advanced Americ ideas, looking to the greatest good for the greatest number. Wi such a stock of fathers and mothers, who have made conquest a anchored in such a favored region the soundest principles of life a advanced thought, a high type of the American citizen must and w be given as the natural result.

PRESENT CONDITION.

Arizona during the last year has been favored with a high degree prosperity. The health of the people has been at the maximum; suffering from drought, storm, flood, or fire, but instead there has be a liberal supply of rain, which has resulted in an abundance of rang pasture and a profitable growth of the stock interest. There we exported from our ranges for the year 217,213 head of cattle, giving return of $2,506,556 and leaving the ranges well stocked. Our min industry has been still more liberal in its contributions to the countr The gold output for the year was $4,260,000, being an increase $2,179,750 over 1894 and $3,257,495 over 1893. The continued low pri of silver has curtailed this branch of mining, the output being 1,750,0 ounces, valued at $1,137,500, being a decrease of $563,560 as compar with 1894. The copper production was 49,661,289 pounds, of the val of $6,207,611.12, and the lead output $350,000 in value. The total val of our bullion exports was $11,955,111. Lumber, 35,000,000 feet; wo 2,904,130 pounds; sheep, 48,596; hides, 72,500.

Agriculture and horticulture have given large returns, and in addition to the supply for home consumption the exports of hay, grain, fruit, and honey were, in the aggregate, over $1,779,000, making the total value of the exports of our stock ranges, mines, and farms for the year $14,902,341, being more than one-half the assessed valuation of the taxable property of the Territory and averaging more than $193 per capita for every man, woman, and child of our citizen population. A marvelous showing, and an indisputable evidence of our wealth resources and general prosperity.

Advancement made on educational, moral, religious, social, and political lines has been pronounced, character becoming the important requisite to official preferment by the people, and as a result the laws enacted by the last legislature were such as to command the approval of all who desire good government. One of the evidences of progress to better conditions was that the number of saloons was reduced 37 and wholesale liquor houses 3 during the year, and in place of the Territory having to face a deficit in the cost of maintaining the government, as in the fifteen years previous to 1893, the Territorial debt was decreased during the year $50,485.72.

As a result of laws enacted by our last legislature, the cost of county governments has been greatly reduced, the annual salary bills being curtailed in the aggregate over $20,000. Our Federal and Territorial courts have pursued a like policy of retrenchment.

The prosperity of all industrial and material interests, the abundant returns to labor and capital, the growth of all civilizing conditions, the reduction of the cost of administering the law, and the spirit of content prevailing among all classes excites a feeling of earnest gratitude among the people of the Territory.

POPULATION.

The present population of Arizona, through the most reliable source obtainable, is placed at 77,000, exclusive of Indians. There was an estimated increase of 7,000 during the year, 90 per cent of the immigration locating in the mining districts of Yavapai County and the agricultural sections of Maricopa County. The Northwestern, Southwestern, and Middle States contributed nearly all of the immigration, the majority being composed of families of the most desirable class and contributing much to the present, and it is to be hoped to the future, welfare of the Territory.

TAXABLE PROPERTY.

The following statement shows the class and value of taxable property for the fiscal year ended June 30, 1895, furnished by the Territorial Board of Equalization, the aggregate value being $27,518,332.49, as against $27,061,974.96 for 1894, being an increase of $456,347.53:

Land and improvements.

Counties.	Land acreage.	Value of land.	Value of improvements.	Value of city and town lots.	Value of improvements.
Apache	822,219.64	$230,889.81	$35,636.10	$13,619.50	$36,779.00
Cochise	22,700	64,088.25	17,920.00	93,982.50	407,248.75
Coconino	597,547.19	229,260.04	78,387.00	132,602.49	185,890.00
Gila	5,356	99,700.00	85,666.00	29,156.00	70,156.00
Graham	30,447.78	352,365.04	294,651.85	28,748.50	105,610.10
Maricopa	232,133	2,604,525.00	260,170.00	2,309,098.00	808,880.00
Mohave	533,231	123,434.53	74,450.00	10,266.00	55,949.00
Navajo	1,035,737.59	263,379.50	16,880.00	69,967.50	115,808.00
Pima	55,725	207,971.00	119,258.00	337,389.00	974,389.00
Pinal	47,174.89	376,275.50	174,048.00	57,881.00	72,663.00
Yavapai	340,828	361,830.00	149,990.00	309,641.00	507,717.00
Yuma	78,982	306,473.30	35,515.00	88,911.67	60,444.00
Total	3,862,282.09	5,220,191.97	1,345,571.95	3,481,263.16	3,401,533.85

Draft animals.

Counties.	Horses.		Mules.		Asses.	
	Number.	Value.	Number.	Value.	Number.	Value.
Apache	2,604	$46,721.00	42	$1,255.00	88	$417.00
Cochise	2,875	41,338.00	218	2,887.50	52	340.00
Coconino	5,460	110,070.00	.....	.....	33	645.00
Gila	2,990	52,151.00	93	1,805.00	226	1,388.00
Graham	3,813	101,183.50	175	5,600.00	262	2,214.00
Maricopa	5,123	108,374.00	243	5,662.00	9	925.00
Mohave	2,885	53,322.00	60	2,300.00	127	635.00
Navajo	2,016	39,336.00	24	693.00	33	240.50
Pima	5,414	87,031.00	241	6,515.00	75	494.00
Pinal	2,170	32,899.00	129	2,495.00	35	234.00
Yavapai	6,690	149,396.00	.....	.....	280	4,413.00
Yuma	442	6,630.00	97	1,940.00	17	68.0[illegible]
Total	42,482	830,452.50	1,322	31,152.50	1,237	12,019.5[illegible]

Other animals.

Counties.	Cattle.		Sheep.		Goats.		Swine.	
	Number.	Value.	Number.	Value.	Number.	Value.	Number.	Value
Apache	16,465	$133,333.50	98,548	$126,949.80	245	$245.00	143	349[illegible]
Cochise	51,162	358,964.00	5,620	7,740.00	858	1,273.00	237	684[illegible]
Coconino	40,199	295,409.25	195,629	241,322.50	.....	.....	124	613
Gila	49,766	346,708.00	3,600	3,600.00	228	228.00	381	1,090
Graham	67,992	510,413.50	7,883	11,817.50	1,344	1,888.50	787	2,456
Maricopa	17,893	185,373.10	12,524	18,795.00	125	85.00	4,991	11,495
Mohave	28,478	203,663.50	.....	.....	.....	.....	167	494
Navajo	16,569	136,017.50	59,067	73,977.75	341	347.00	298	1,448
Pima	66,818	479,167.00	2,134	3,203.00	644	980.00	367	927
Pinal	25,625	182,865.00	3,300	3,300.00	.....	.....	347	987
Yavapai	85,565	598,955.00	16,399	24,535.00	2,463	3,149.00	713	2,043
Yuma	1,857	18,570.00	.....	.....	10	20.00	747	1,49[illegible]
Total	468,389	3,449,439.35	404,704	515,270.55	6,258	8,215.50	9,302	24,08[illegible]

Railroads and other property.

Counties.	Miles of railroad.	Value of railroads.	All other property.	Total valuation county and Territory
Apache	54.482	$272,410.00	$74,567.55	$973,202
Cochise	175.670	862,980.00	394,258.89	2,253,704
Coconino	116.660	538,300.00	286,956.39	2,099,455
Gila	.....	.....	126,982.00	818,630
Graham	41	109,230.00	304,485.55	1,833,666
Maricopa	94.570	544,262.00	710,095.00	7,567,739
Mohave	108.076	540,380.00	164,204.87	1,231,099
Navajo	57.208	286,040.00	105,927.82	1,110,063
Pima	117.004	774,178.53	498,969.00	3,490,474
Pinal	79.790	477,966.17	159,148.00	1,540,764
Yavapai	60.552	265,602.89	1,117,166.00	3,494,437
Yuma	80	497,957.00	87,061.00	1,105,083
Total	985.012	5,169,306.59	4,029,822.49	27,518,322

Comparative statement of assessed values of taxable property for 1894 and 1895.

	1894.	1895.
.....	$5,829,248.68	$5,220,191.09
vement thereon	1,603,257.50	1,345,571.97
d town lots	3,003,445.50	3,481,263.16
vements thereon	2,966,404.50	3,401,533.85
.....	3,064,221.90	3,449,439.35
.....	538,990.71	515,270.55
.....	970,242.35	830,452.50
.....	43,459.00	81,152.50
.....	12,642.00	12,019.50
.....	4,226.00	8,215.50
.....	18,282.21	24,083.00
ds	5,651,053.62	5,169,306.59
er property	3,913,022.99	4,029,822.49

FINANCIAL CONDITION.

izona's financial condition is most satisfactory. Her standing with nanciers of the country is evidenced by the fact that a recent nego- n of all her outstanding floating indebtedness, to be funded in 5 ent 20–50 year bonds, has been contracted for at a higher premium has ever been paid for our Territorial securities. The funding of Territorial floating debt under the Congressional enactment will the Territory on a cash basis, and on and after January 1, 1896, arrants or other evidences of indebtedness will be issued to meet nt expenses of the Territory.

is creditable showing is no doubt due to the fact of the retrench- s in the public service, the prompt payment of interest, and redemp- of obligations of the Territory.

e following statement of the Territorial treasurer shows Arizona's cial condition:

Statement of the bonded and floating debt of the Territory June 30, 1895.

Title of bonds.	Date.	Time.	Rate.	Amount.
		Years.	*Per cent.*	
and Ehrenberg Wagon Road	Mar. 14, 1881	15	10	$10,000.00
Asylum	July 1, 1885	20	7	100,000.00
Road and Bridge	Nov. 1, 1885	15	8	12,000.00
ridge	May 15, 1885	15	8	15,000.00
University	Jan. 1, 1887	20	7	25,000.00
g	Jan. 15, 1888	25	6	150,000.00
Fair	July 1, 1892	20	5	30,000.00
g	July 15, 1892	50	5	1,720,000.00
Total				2,062,000.00
g debt (warrant)				252,367.16
Total				2,314,367.16
county and city funded debt of the Territory				1,389,899.57
ggregate Territorial indebtedness				924,467.59
ash on hand				100,328.35
t of the Territory				824,139.24

ile the Territory assumes the payment of all the above debt, the counties and pay the interest on their portion of the debt, and the last figures show the l amount of the debt incurred for Territorial purposes.

et Territorial debt at the close of the fiscal year ended June 30, l, as per my last annual report, was	$874,624.03
resent net debt, as appears from above, is	824,139.24
ing not only a retrenchment of expenses for the year but a decrease the Territorial debt of	50,485.79

BANKS AND LOAN ASSOCIATIONS.

There are eight banking institutions doing business under the laws of the Territory, with a total capital of	$2
Surplus and undivided profits	1
Five building and loan associations (only three reported), with a capital of	1
Surplus and undivided profits	
Five national banks, with a capital of	4
Surplus and undivided profits	1
Total capital and surplus	1, 0

During the year one bank has gone out of business, the depositors being paid i

SETTLEMENT OF LANDS.

Arizona comprises two land districts, the Gila and Prescott. United States land office of the Gila land district is located in Tu the area of this district comprises 45,318 square miles, or n 30,000,000 acres. The Prescott land district comprises the nor part of the Territory, 68,000 square miles; the United States land of this district is located in Prescott.

Tabulated statement of the amount of appropriated and unappropriated land in the tive counties.

THE GILA, OR TUCSON, LAND DISTRICT.

County.	Area unappropriated and unreserved.			Area reserved.	Area disposed of.	Tot of sur co in la tr
	Surveyed.	Unsurveyed.	Total.			
	Acres.	*Acres.*	*Acres.*	*Acres.*	*Acres.*	*A*
Apache	22,792	19,068	41,860	204,980	160	
Cochise	1,393,985	2,412,123	3,806,108	135,077	40,815	3,
Gila	45,496	414,985	460,481	745,807	5,212	1,
Graham	798,669	2,176,214	2,974,883	1,090,000	73,117	4,
Maricopa	1,094,792	2,932,949	4,027,741	193,000	458,259	4,
Navajo	.....	.....	.....	70,000	.....	
Pima	1,053,390	5,371,186	6,431,576	208,053	74,371	6,
Pinal	860,520	2,170,806	3,031,326	372,010	71,164	3,
Yuma	642,780	4,095,722	4,738,502	110,000	83,498	4,
Total	5,912,424	19,600,053	25,512,477	3,123,927	806,596	29,

PRESCOTT LAND DISTRICT.

Apache	1,428,639	788,877	2,217,516	3,486,240	1,219,244	6,
Coconino	671,930	9,952,150	10,624,080	2,079,770	526,150	13,
Gila	43,320	1,295,600	1,338,920	376,320	2,760	1,
Maricopa	136,040	1,237,040	1,373,080	.....	1,920	1,
Mohave	961,520	5,748,112	6,709,632	384,000	42,368	7,
Navajo	1,415,560	788,000	2,203,560	3,100,000	1,006,440	6,
Yavapai	761,013	3,988,520	4,759,533	82,160	415,307	5,
Yuma	.....	1,193,900	1,193,900	201,600	.....	1,
Total	5,418,022	24,992,199	30,420,221	9,710,090	3,214,189	43,

Statement of lands entered at the United States land offices.

TUCSON LAND OFFICE.

Class of entry.	Number of entries.	Number of acres.
Original entries.		
Number of acres entered under homestead act	206	27,867.99
Number of acres sold subject to preemption act	1	40
Number of acres excesses on homestead, timber culture, and other entries and locations	10	5.56
Number of acres entered under desert-land act	118	28,247.10
Number of acres entered under mining act	12	300.31
Total	347	56,460.96
Final entries.		
Homestead	45	6,647.24
Timber-culture	6	757.96
Desert land	13	2,925.03
Cash (commutation)	22	2,643.48
Total { final entries	86	12,973.31
Total { original entries	347	56,460.96
Aggregate	433	63,434.27

PRESCOTT LAND OFFICE.

Homestead entries	145	19,092.65
Cash entries	14	896.65
Desert-land entries	8	944.94
Mineral applications	15	298.39
Final homestead entries	27	4,109.66
Final desert land entries	1	40.00
Final timber-culture entries	2	320.00
Final mineral entries	11	171.813
Railroad selections	1,728	276,476.66
Total number of entries of all kinds and number of acres embraced thereby	1,951	302,350.763

MEXICAN AND SPANISH LAND GRANTS.

The Court of Private Land Claims, created by Congress to hear and determine title to land grants or private land claims originating, as alleged, from the Spanish Crown or the Mexican Government, has made most satisfactory progress. The names and areas of the grants situated in Arizona and tried by the court from the time its organization up to the present date are as follows:

	Acres.
Los Nogales de Elias	32,763.00
San Jose de Sonoita	12,147.69
Babacomari	128,000.00
San Rafael del Valle	20,034.62
El Sopori	141,721.60
Tumacacori, Calabazas, and Huebabi	73,246.70
La Canoa	46,696.20
San Bernardino	13,746.00
Peralta	12,467,456.00
Aribac	20,400.00
Algodones	22,000.00
Making a total acreage of	12,978,211.71

The Algodones grant was confirmed; the Nogales de Elias, San Jose de Sonoita, Babacomari, San Rafael del Valle, Tumacacori, Calabazas, Huebabi, and Peralta grants were rejected, and the Sapori, Canoa, San Bernardino, and Aribac grants have been taken under advisement.

Of the total area of the Peralta grant, about 2,000,000 acres are situated in the Territory of New Mexico.

There still remains to be tried in Arizona the San Rafael de Zanja, Tres Alamos, San Juan de las Boquillas y Nogales, Agua Prieta, Buena Vista, and Reyes Pacheco grants.

The court will convene at Tucson on November 11 next, at which time the cases now held under advisement will be heard and the remaining cases in Arizona disposed of. No doubt all of these cases will have to be finally determined by the United States Supreme Court, several of them now being before it for final adjudication.

The final settlement of the title of these large areas of land is of vital importance to contesting claimants, the Territory, and those seeking homes in our midst, and until a final adjudication is had little or no progress will be made in the reclamation and development of these lands. On behalf of the general welfare of the Territory I earnestly recommend an early hearing of all these cases which are now or may go before the court of last resort.

CUSTOMS.

Statement of the business transacted at the port of Nogales for the fiscal year ended June 30, 1895.

COMMODITIES FREE OF DUTY.

When imported.	Under tariff act of—	Value.
1894.		
July	Oct. 1, 1890	$79,908.00
August	do	133,596.00
September	do	86,949.00
October	do	151,262.00
November	do	113,111.00
December	do	81,370.17
1895.		
January	Aug. 28, 1894	257,873.16
February	do	173,105.00
March	do	203,311.20
April	do	169,547.00
May	do	197,618.00
June	do	239,990.00
Total		1,887,640.63

DUTIABLE COMMODITIES.

1894.		
July	Oct. 1, 1890	$2,003.25
August	do	
September	do	4,428.23
October	do	8,546.00
November	do	5,934.00
December	do	34,595.41
1895.		
January	Aug. 28, 1894	37,855.50
February	do	29,781.50
March	do	70,254.71
April	do	5,782.00
May	do	4,885.00
June	do	5,260.00
Total		211,579.05
Aggregate importations		2,099,219.68

Statement of the business transacted at the port of Nogales, etc.—Continued.

DUTIES COLLECTED.

When imported.	Under tariff act of—	Amount.
1894.		
July	Oct. 1, 1890	$990.20
August	do	867.61
September	do	1,381.66
October	do	2,210.29
November	do	1,536.19
December	do	7,504.96
1895.		
January	Aug. 28, 1894	8,482.11
February	do	6,103.12
March	do	14,582.74
April	do	2,050.81
May	do	1,386.44
June	do	1,632.77
Total		48,728.90

IMPORTS AND EXPORTS DURING THE FISCAL YEAR ENDED JUNE 30, 1895.

Number of head of cattle imported paying duty	30,38
Number of head of cattle imported free of duty	5,16
Total	35,549
Value of cattle exported during the fiscal year	$805,970.00
For the year 1894 the importations were:	
Commodities free of duty	$1,035,200.00
Dutiable commodities	77,694.68
Total importations	1,112,894.68
Duties collected	34,362.10
Exports	433,004.00
Increase of imports over 1894	986,325.00
Increase of duties collected	14,366.80

The importations during the months of July and August, 1894, were under the tariff act of October 1, 1890; the remainder under the act of August 28, 1894.

ADDENDA.

Statement of value of and estimated duty on merchandise entered at the port of Nogales and destined to interior ports in the United States under warehouse and immediate transportation bond.

Date.	Value.	Duty.
From July 1, 1894, to June 30, 1895	$173,189.00	$15,461.10

Statement of value of and estimated duty on merchandise entered at the port of Nogales and destined to foreign countries under warehouse and immediate transportation bond.

Date.	Value.	Duty.
From July 1, 1894, to June 30, 1895	$8,815.00	$1,330.99

The total amount of duties estimated on merchandise entered and dest interior ports in the United States under warehouse and immediate transpc bond, together with the total duties collected in 1895, should be credited port.

The reason assigned for the increase in the volume of business transacted the year is the tariff act of August 28, 1894.

I would recommend that a United States live-stock agent be p nently stationed at Nogales to inspect cattle when presented for for the reason that this port has been designated as a quarantı tion on the southern boundary of the United States, through beef cattle may be imported for immediate slaughter.

Present quarantine regulations permit entrance after Decem 1895, of all kinds of cattle after inspection by a live-stock agei issuance by him of a proper certificate thereof. Without such i tion there can be no entrance of cattle, and it is estimated th less than 50,000 head annually will be practically prohibited from ing the United States.

INTERNAL REVENUE.

The following is a statement of the internal revenue collec Arizona for the fiscal year ended June 30, 1895:

SPECIAL-TAX STAMPS.

Wholesale liquor dealers	
Wholesale dealers in malt liquors	
Wholesale dealers in oleomargarine	
Retail liquor dealers	14
Retail dealers in malt liquors	
Retail dealers in oleomargarine	
Brewers of less than 500 barrels	

OTHER STAMPS.

Playing-card stamps	
Cigar and cigarette stamps	
Tobacco stamps	
Tax-paid and spirit stamps	
Beer stamps	
Penalties and miscellaneous collections	
Total	19
Collection for fiscal year ended June 30, 1894	16
Increase for 1895	3

SPECIAL-TAX PAYERS.

Special-tax payers in Arizona for the fiscal year are classi follows:

Retail liquor dealers	
Wholesale liquor dealers	
Retail malt liquor dealers	
Wholesale malt liquor dealers	
Retail dealers in oleomargarine	
Wholesale dealers in oleomargarine	
Brewers of less than 500 barrels	
Total	

RAILROADS AND COMMERCE.

There are now ten railroads in the Territory (of which nine are being operated), as follows:

	Mileage.
Southern Pacific of Arizona	383
Atlantic and Pacific of Arizona	393
New Mexico and Arizona	87
Arizona and New Mexico	56
Arizona and Southeastern (being extended)	56
Sante Fe, Prescott and Phœnix (being extended)	197
United Verde and Pacific	27
Gila Valley, Globe and Northern (being extended)	62
Maricopa and Phœnix	34
Prescott and Arizona Central (not being operated)	73
Total mileage	1,256

The Southern Pacific passes through the southern part of the Territory, from Yuma, on the Colorado River, to the eastern boundary of Cochise County, passing through the counties of Yuma, Maricopa, Pinal, Pima, and Cochise.

The Atlantic and Pacific crosses north of the center of the Territory, near the 35th parallel, and passes through the counties of Apache, Yavapai, Coconino, and Mohave.

The New Mexico and Arizona runs from Benson, on the Southern Pacific, in Cochise County, to Nogales, in the same county, on the Mexican line.

The Prescott and Arizona Central runs from Prescott Junction, on the Atlantic and Pacific, to Prescott, and is all in Yavapai County. This road is not being operated, its business having been absorbed by the Santa Fe, Prescott and Phœnix Railroad.

The Maricopa and Phœnix runs from Maricopa, Pinal County, on the Southern Pacific Railroad, to Phœnix, Maricopa County. A branch of this road is now being constructed from Tempe to Mesa City, a distance of 7 miles.

The Arizona and Southeastern runs from Bisbee to Benson, where it connects with the Southern Pacific. Eighteen miles of this road were built during the year. The road is operated by the Copper Queen Company, which supplies a large amount of its traffic.

The United Verde and Pacific runs from Clear Springs, on the line of the Sante Fe, Prescott and Phœnix, to Jerome, and was built to handle the mineral product of the district, especially the copper of the Jerome mines.

The Gila Valley, Globe and Northern is being operated from Bowie Station, on the line of the Southern Pacific Railroad, to Thomas, Graham County, and is being extended to Globe, the mining center of Gila County. It is 62 miles in length; 45 miles were constructed during the year, and when completed it will be 140 miles in length. Construction is at a standstill, awaiting the right of way through the San Carlos Indian Reservation, which should be speedily granted, as it will result in the opening of one of the richest mineral regions in the Territory, and will do much to reduce the cost of furnishing supplies for the Indians on the White Mountain Reservation as well as furnishing a rapid means of transporting troops if the occasion should arise.

The Santa Fe, Prescott and Phœnix Railroad has been constructed from Ash Fork, via Prescott, to Phœnix, to which point it is now being profitably operated. Seventy-one miles of this road were completed

during the year. This road is to be extended to Florence, Tucson and Nogales, where it will connect with the Santa Fe road, whic terminates at Guaymas, on the Gulf of California, thus connectin Central Arizona with tide water. Many advantages will result from th construction of this line, as a series of rich mining, agricultural, an stock-grazing districts are tributary thereto, and the rapid develop ment which has thus far followed in its wake will continue as it move southward.

During the year a total of 134 miles of road were constructed in th Territory, and from the present outlook much more will be built durin the present year.

AGRICULTURE.

The past year has returned bountiful crops to Arizona farmers. Th yield in the irrigated districts generally reached the maximum pr ductive power of the soil. Two crops of cereals and from four to s cuttings of alfalfa (French lucerne) are frequent. The latter yields fr 2 to 3 tons per cutting. Sweet potatoes and all staple vegetables rea a high state of maturity. The Irish potato is a never-failing crop the higher altitudes. The home consumption of both the white a Indian population has been nearly all furnished by our farmers, but addition thereto not less than $1,779,000 in value has been export from the Salt River Valley, and as the farming area is rapidly incre ing, exports must likewise increase.

CANAIGRE.

The production of canaigre or tannin root promises to be an imp tant and profitable agricultural industry. The plant is indigenous this region, and experiments have established the fact that this tub contains at least 10 per cent of tanning material, which the experien of American and European tanners has shown to be of superior val in the production of the fine grades of patent and fancy leather, f which large amounts of gambier and other extracts are at prese imported from the East Indies into the United States, at an annual co of nearly $2,000,000 to the American manufacturers. It is confident believed that canaigre will not only supply the home demand, but w be largely exported, as its production is inexpensive, being planted September and October and harvested from April to June. The yie is from 8 to 15 tons per acre. Canaigre farming in Arizona is bein organized on a large scale.

OTHER PRODUCTIONS.

Experience shows that Arizona's climate and soil is well adapted t the raising of tobacco, sugar cane, cotton, ramie, and other fibrou plants. Rapid progress in these lines of agriculture is being made.

VEGETABLES.

In some sections of the Salt River and Colorado valleys vegetables ca be successfully raised during the entire year, and suggests a profitabl industry awaiting the truck raiser in supplying the Northern and Eas ern consumers with vegetable luxuries in midwinter.

HORTICULTURE.

In my report for 1894 horticulture in this Territory was treated at length, and the prediction as to the future of this industry is being verified by the crops of the present year, which have been most encouraging to the fruit raiser.

All kinds of fruits peculiar to every section of the United States and the semitropics flourish in this region. The deciduous are of the best quality in the higher altitudes. Pomegranates, dates, olives, and figs find here their natural home, and as southern Arizona markets her first crop of fruits from four to six weeks earlier than any other section of the country, this industry must be both permanent and profitable.

In this connection the following observations of Prof. William S. Devol, director of the United States experimental stations of this Territory, will be instructive:

Fruits for the East.—The early maturity of fruits and vegetables in the Salt River Valley and some other parts of Arizona enables the growers to place these products upon the market in advance of nearly every other section of the United States, thus enabling them to realize prices for their products such as the later markets do not afford.

Arizona's place.—Unite with this the well-known advantage of supplying water by artificial means over having to depend upon rainfall, and the superiority of the fruits thus obtained, and some idea may be gained of the present place of the fruit regions of Arizona in the onward march of progress and the prospects for the future.

Although Arizona is frequently spoken of as a "hot and arid region," it is erroneous to suppose that this is true respecting the Territory at large, or any considerable portion of it.

Water available.—The work of the United States Experiment Station is demonstrating that water can be secured for a much greater portion of the area than has been suspected, and that the soil and climate are capable of producing bountiful harvests, not only of tropical and subtropical fruits, but also that there is a large expanse of country capable of producing fruits and other products of the temperate zone, and these of excellent quality.

The list growing.—The list of fruits adapted to the various regions of Arizona is being constantly added to from the large numbers of new varieties introduced by the station each year. These are being disseminated to various points in the Territory for further trial.

Cooperative trials.—Another plan just inaugurated by the director is that of cooperative field tests, the first being undertaken at the Territorial prison farm at Yuma, and it promises results that will prove invaluable to the territory. The tests here embrace almost the whole range of vegetable gardening, besides canaigre, osier willows, tobacco, and several field crops.

Many fruit trees planted.—In the list of the operations performed by the station during the past year was the distribution at the Tucson, Phœnix, Mesa, and Willcox stations of over 800 fruit trees, embracing 125 varieties, as follows: 25 varieties of apple, 14 varieties of pear, 31 varieties of plum, 20 varieties of peach, 5 varieties of apricot, 12 varieties of grape, 4 varieties of Japanese persimmon, 3 varieties of quince, and several varieties of olives.

Ornamental trees and shrubs.—There were also set out at the several stations during the past spring over 800 ornamental trees and shrubs, embracing nearly 100 varieties, a considerable number of which have shown in this season's growth that they are well adapted to Arizona soil and climate.

Tobacco.—Eleven varieties of tobacco are being grown on the station grounds, several of which are doing excellently. The best growth and most desirable texture is obtained with the "Comstock Spanish," "Brazilian," and "White Burley."

Ramie.—Experiments are under way in the culture of ramie, a most promising fiber plant, and the growth of the plants is very satisfactory. Should these experiments prove in the end to be as successful as they now promise this will be found to be well adapted to large areas of this Territory. The one great need is a successful decorticating machine.

Japan plums.—Among the large list of varieties of plums being grown upon the station grounds both at Tucson and Phœnix, none have proved so prolific and desirable this season as the Japan or Oriental varieties. This harvest was a fair yield of fruit of excellent quality.

Canaigre.—A considerable quantity of canaigre was grown last season, and tests have been instituted for determining the actual yield per acre of this new tannin product and the cost of production, the results of which will be published in bulletins issued by the station, like those covering other branches of the station's investigations.

The orange and lemon.—Although the attempts at growing oranges and lemons have not been successful in some localities, most marked success has been achieved over an extended area, embracing the mesas above the Salt River Valley and about Yuma. It is believed that the citrus belt will be found much more extensive than has heretofore been thought.

CROP SEASON OF ARIZONA.

Probably nowhere in our country does the crop season extend through so long a period as in this region. The following extracts from the Crop Bulletin published by the United States Weather Bureau during the fiscal year ending June 30, 1895, will indicate the condition in the principal agricultural and horticultural sections of the Territory:

The following extracts from the weekly crop bulletins published from the central office of the Arizona weather service will serve to show the conditions and progress from time to time of agricultural and kindred interests. The conditions mentioned in each bulletin are those existing at that date in the principal productive sections:

"*July 16, 1894.*—The improvement in the condition of cattle ranges and live stock is particularly marked in all sections. The Gila River has an abundant flow of water, affording an ample supply to the irrigating ditches and canals along its course. A similar condition is reported from the Salt River, from which valley the reports are of a uniformly satisfactory character.

"*July 23.*—Fruit, grain, and hay crops have generally been brought to maturity and harvested in most sections, and in others so far advanced that under ordinary favorable conditions their completion is assured.

"*July 30.*—In the Salt River Valley thrashing is nearing completion. The yield of grain is said to be fully up to the average. Muscat grapes are being shipped from Phœnix to Eastern points in carload lots.

"*August 6.*—There is abundance of water in the streams and ditches for irrigation. All crops except late alfalfa and certain kinds of fruits, such as oranges, olives, and a few varieties of grapes, are already harvested.

"*August 23.*—The ranges in most sections have been improved into a fine state, and live stock are generally in fine condition. As noted in previous bulletins, most of the soil products of this Territory being already matured are beyond the influence of weather conditions, and therefore claim but little further notice from correspondents.

"*August 27.*—There is great improvement in the condition of the ranges, and a bettered outlook for the live stock interests. Cattle are in excellent condition, and there is an assurance of a sufficient amount of grass on the ranges to carry them through the winter in good shape.

"*April 15, 1895.*—Barley and oats hay harvest is now in progress in the Salt River Valley. Within two weeks alfalfa cutting will be started, and within a month headers will be at work in the fields of barley and wheat, reaping what is evidently the heaviest crop in years. Every essential of weather and irrigation has been favorable to the agriculturist.

"*May 6.*—Irrigated crops have made normal progress in all sections. Grain promise unusually well.

"*May 20.*—In the Gila Valley cattle are in fine condition and heavy shipments are being made to outside points; hay harvest is in progress. Salt River Valley: Thrashing will be general throughout the valley within a fortnight; crops are uniformly excellent; the season has been unmarred by a single adverse condition; within a few days it is expected that there will be sent abroad several carloads of apricots, which will continue in season for the next month; the present weather is bringing the strawberry crop to great perfection.

"*June 3.*—First ripe watermelons of the season were marketed at Yuma this week. Corn and melons are coming on well. The grapevines are hanging full of fruit. Pomegranates are nearly full grown.

"*June 10.*—This has been an exceptionally good week for growth. The harvest of small grain progresses finely, and the crop appears to be over an average.

"*June 17.*—The first apricots of the season have gone to the markets this week. A few crates of grapes have been shipped east during the week."

ARIZONA AND IRRIGATION.

The transformation of the desert plains into farm lands, orchards, and gardens is the chief concern of our people, and through this channel large investments of capital have been made during the year.

Of the arid region, Arizona is a most favored spot, for its physical conditions are such as to give the most prolific results. Its perpetual sunshine and absence of snow and frost give twelve months of growing season. Its lands are full of vitality, and its streams are heavily charged with fertilizing elements, which, when carried on to the land by irrigation, are a source of constant enrichment of the soil.

AGRICULTURAL AREA.

Arizona has 10,000,000 acres of land capable of reclamation to agriculture, of which 997,000 acres are under cultivation. All save 15,000 acres of the higher altitudes is under irrigation, and 165,000 under canals, but not brought under cultivation, and 45,000 acres have been added to the farming area during the last year. There are now under construction canals and storage reservoirs which will furnish water to reclaim 535,000 acres during the next two years, and other enterprises contemplate the reclamation of over 750,000 acres additional.

While this development is in progress in nine of the twelve counties of the Territory, the larger enterprises are located in Maricopa, Yuma, southern Yavapai, Apache, and Pima counties, one of the most important being that of the Southwest Improvement Company, with a capital of $1,000,000, which has located a gravity canal 50 feet wide to carry 50,000 miner's inches of water, the same to be taken out of the Colorado River, on the Arizona side, some 20 miles above Yuma, and extend south through Arizona 50 miles to the boundary line of Mexico. This canal will reclaim 75,000 acres of land. It will have water in abundance, and it is proposed to set aside 50 miner's inches for each 80 acres of land, giving to such land a continual flow of that amount. It is estimated that the silt conveyed in the waters of the Colorado River when deposited on the land is worth as a fertilizer from $5 to $7 per acre per year. No land in the citrus belt is so well adapted for raising lemons, grapes, oranges, and winter vegetables of all kinds, such as tomatoes, pease, cabbage, strawberries, melons, beets, beans, celery, and cauliflower, as this is the frostless section of Arizona. All such products can be supplied to Eastern markets in midwinter, and fruits from four to six weeks earlier than by the most favored orchards of southern California.

For the progress made during the year and other important enterprises now on hand, I quote the following from the report of Prof. Edward M. Boggs, of the University of Arizona, the Territorial engineer:

Work of the year.—It is a matter of general information that the past year was one of remarkable activity in irrigation affairs. In no other year have so many legitimate enterprises of great magnitude been under construction and so much costly work performed. The prospects for the ensuing year are for a continuance of this activity in a still higher degree.

Hardly any of the larger projects can be said to be completed. Even those now delivering water are in process of enlargement or improvement, this being the natural development necessary to keep pace with the growth of the country and the extension of knowledge concerning irrigation problems.

Character of work.—The plans of several companies embrace the construction of storage reservoirs of immense size. These almost invariably require large masonry dams, which are necessarily slow in building. In a number of instances satisfactory

progress on these dams has been made during the past year, and they are now being pushed toward completion with larger forces of men and greater equipment than at any previous time.

Irrigation economy.—The criticism has often been made that Arizona irrigation works are wasteful, and that the methods of distribution and application are extravagant in their waste of water. That this has been true can not be denied, but the knowledge is rapidly spreading that the easiest and best way to increase the available water supply is to make the best use of that which is already in hand.

Canals.—The Arizona Improvement Company, which controls the north-side system of canals, aggregating over 100 miles of main canals and 60 miles of laterals, is engaged in the execution of a broad and systematic plan for increasing the quantity of water. This plan embraces a number of interesting features, among which is the enlargement of the channels of the several canals in order to carry larger quantities of water during times of surplus, thus relieving the demand during seasons of scarcity. It is known that the multiplicity of laterals owned and operated by individual consumers causes great loss by evaporation and seepage, and that a large saving will result from concentrating the distribution so far as possible into larger laterals constructed by the company. It is also proposed to introduce a time system, whereby each consumer, instead of receiving in constant flow or for a long period the comparatively small amount due to his acreage, will receive some multiple of that quantity for a proportionately shorter time. Accurate measurement of water is essential to the success of this plan. The notoriously great waste due to prevailing methods of watering cattle will be checked in a large degree. This company has also planned the construction of two large reservoirs for storing surplus water. These are to be at favorable sites at some distance away from the river. They will be filled by a canal from the river, and are thus free from danger of damage by floods.

For several years the Consolidated Canal Company, the principal member of the south-side system on Salt River, has been engaged upon an extensive plan of improvement throughout their system. Security and economy have been studied with earnest care.

The main feature of these betterments has been the construction of new head works in Salt River. These are built upon solid rock at a most favorable location for security and now constitute the best heading on this great river, where permanent works are very difficult and costly. The new head, being located far upstream from the old, required the construction of 2½ miles of new canal. For this distance the depth of excavation averaged from 16 to 22 feet, the bottom width being 40 feet making the work one of huge proportions. A mammoth dipper dredge, the largest of its kind in America, was built expressly for this work. Half a million cubic yards of material were excavated, one-third of which was solid rock and loose rock.

Having completed the stretch of new canal, the dredge is now engaged in enlarging the main canal throughout its length, and the company is working upon the installation of a power plant at the junction of their cross-cut canal, near the town of Mesa.

At this point there is an abrupt descent of over 40 feet from the mesa to the lower plain. The fall thus created is capable of developing 1,000 horsepower, which will be transmitted by electricity and devoted to industrial uses in the vicinity.

Storage reservoirs.—Recognizing the fact that the supply of arable land in Arizona must always remain greater than the supply of water for irrigation, many schemes have been formed for the construction of storage reservoirs. Owing to the magnitude of these projects, a long time is required for their completion, and the financial difficulties are correspondingly great. Probably the first, as well as the greatest, of such enterprises to get fairly under way in Arizona is that of the Rio Verde Canal Company. This project embraces a system of four storage reservoirs, having an aggregate capacity of 416,000 acre-feet, a diversion dam, and 140 miles of main canal, with a capacity through the first 50 miles of 1,200 second-feet, estimated to furnish an ample supply of water for 220,000 acres of land. Some two years' time and a large sum of money have been expended in an exhaustive study of this enterprise in all its details, working plans have been adopted, and a good beginning has been made upon the actual construction.

At the present time the company has under contract and in active progress the principal storage dam, the diversion dam, and 98½ miles of main canal. Both dams are of masonry, and are very favorably situated for security. Active work was commenced under this contract in April of this year, and thus far some 12 miles of the canal have been finished. It is expected to have the whole contract completed by the close of 1896.

Another large storage project in an advanced stage is that of the Agua Fria Water and Land Company. Their plans embrace the construction of two storage dams and a diversion dam, all on the Agua Fria River, 59 miles of main canal, and about 200 miles of laterals. Much time and money were devoted to the necessary preliminary engineering before ground was finally broken. The diversion dam, one of the reservoir dams, and 30 miles of main canal are now under contract. The diversion dam,

a masonry structure 84 feet high from bed rock and 590 feet long on the crest, will be completed in October, 1895. The earth and rock work of the first 4 miles at the head of the main canal, the most expensive portion of its length, is now completed. By January 1, 1896, 25 miles of main canal and 30 miles of laterals will be finished.

The first reservoir dam will be 1,110 feet long at the top, 100 feet high above the bottom of the river, but extended down to bed rock. It will be of masonry throughout. The second storage dam will be built when the demand for water makes it advisable. The completion of the diversion dam and 25 miles of canal will enable the company to at once commence the delivery of a large amount of water for irrigation.

Upward of 23,000 acres of land under this canal have already been located by individuals, who secured it direct from the Government. The altitude of this tract ranges from 1,100 to 1,300 feet above sea level.

The Pennsylvania Irrigation Company has planned a system of works to provide irrigation for some 30,000 acres of land in Paradise Valley, northeast of Phœnix. Their plans include a storage reservoir on Cave Creek. From this reservoir the water will be permitted to flow down the natural channel of the stream to a diversion dam, where it will be raised into the canal and conveyed to the lands.

An extensive change of the highway around the reservoir site has been completed and opened for travel. A force of men has been kept at work on the foundations of the dam. It is expected to have the dam and canal system ready for use in the summer of 1896.

Other enterprises.—The extensive dam and system of canals at Gila Bend have been involved in litigation, and have thus far been kept from completion and the delivery of water.

Messrs. Allison Brothers a few years ago successfully opened a canal for the development of the underground waters of the Santa Cruz River at Tucson. They have recently commenced work upon a similar project on the east side of the valley, opposite the former one. This canal will be some 6½ miles in length, and will command a large area of land in the unsurpassed Santa Cruz Valley. The plan is a simple one, merely requiring an open cut to be made in the bottom of the valley, which is extended as far upstream as is practicable.

By this means water is developed in considerable quantity, all of which is thus saved from certain loss and applied to profitable use.

Another company is in process of organization at Tucson, having for its object the development of the underflow of the Rillits, a tributary of the Santa Cruz River.

Several small artesian wells have been bored in the San Pedro Valley, in Cochise County. These wells are flowing constantly, but their discharge is insufficient to affect irrigation interests in a large degree. No important artesian basin has yet been found in the Territory, although indications justify the belief that they may be found by a geological survey or systematic search.

The work involved in such an investigation is too costly for private means, and it seems a legitimate and promising field for the General Government to undertake.

It is to be regretted that the important work of stream gauging has not been resumed and made a permanent feature of the Government's work. No other class of work within the arid region compares in importance with this. Moreover, the work of extension, enlargement, and improvement has been so general and widespread as to preclude the mention of all the smaller irrigation works affected.

RECOMMENDATIONS.

Owing to the number of irrigation reservoirs being constructed and others contemplated, with a view to the reclamation of the public domain, it seems advisable, as a matter of precaution and to guard against disaster resulting from the breaking of dams as well as to protect investors, that a board of irrigation engineers be created, consisting of two United States Army engineers and the Territorial irrigation engineer, whose duty it shall be to inspect all irrigation works from time to time and require a safe construction or repair of the same. The United States Army officers being under salary from the United States and the Territorial engineer from the Territory, no expense would accrue and important service could be rendered.

IRRIGATION FARMING.

The advantages of farming by irrigation are manifold. By irrigation the chances for crop failure are reduced to a minimum or substantially eliminated. Irrigation, so far as the element of production is concerned,

puts the farmer on an equal footing with other occupations or businesses that do no not depend for their success upon the elements. The nightmare of droughts or floods never haunts his sleep. By means of irrigation he is enabled to apply water to his growing crops at just the time it is needed, and in proper quantities. How rarely does nature perform this service for the Eastern farmer with precision and certainty as to both time and quantity? It often rains too much or too little or not at all. There is a critical period in the growth of many crops when the failure to get rain even for a few days beyond the time it is needed means disaster. On the other hand, continuous or unseasonable or too much or too little rain constantly menaces the farmer of the rain region. No such terror ever confronts the farmer who relies upon irrigation.

In brief, irrigation conduces to the growth of community life, with its countless blessings. Such a life contributes to and nourishes the highest type of civilization. The farmers of the Atlantic and Middle States are apt to regard farming by irrigation as an innovation in agriculture, whereas, in fact, it is the oldest method known to history or tradition; besides, it is the prevalent system in the world to day. Four fifths of all the people of the globe are subsisted at the present time by irrigation farming. Ancient Babylon, Tyre, and Carthage were supported by children of the desert, who cultivated the soil by irrigation, and the secret of Moorish civilization and glory is found in the waterways, canals, and ditches constructed and operated by that wonderful people.

To emphasize these thoughts I can not do better than to quote a paragraph from the work of a gifted writer upon this subject, entitled The Conquest of Arid America. After speaking in the highest praise of the material progress of the United States in the first century, the writer adds:

> But speaking in broad terms, and with a view to its ultimate capabilities, the conquest of the continent is only half accomplished. The mighty forces which molded the prosperity of the past have ceased to operate. The great engine of material progress stands idle in its tracks. The nation halts and falters upon a mysterious boundary line, which marks the ending of familiar conditions and the beginning of problems strange and new to Anglo-Saxon men. Thus the splendor of national prosperity pales in the grim presence of national stagnation. And yet beyond the line where the armies of civilization have bivouacked, if not laid down their arms, sleeps an empire incomparably greater and more resourceful than the empire those armies have conquered. Here lie the possibilities of a twentieth century civilization—a civilization new, distinctive, and more luminous and potential than any which has preceded it in the world's long history.

IRRIGATION AND SILVER.

There is no problem of greater concern to the people of the Rocky Mountain region than that of the reclamation of its arid lands, providing homes for millions of families and producing billions of wealth annually from the now dormant valleys and desert plains.

The silver question is insignificant in the presence of this important interest, and as the silver and the arid regions are the same, and the silver industry having rapidly declined, the reclamation of these lands will not only restore but quadruple industrial interests and at once remove the unrest and discontent now prevailing among a large population by providing a more profitable, permanent, and desirable resource for labor and the production of wealth, for, while mining exhausts its resources, the tilling of the soil under irrigation is an ever-increasing resource.

A RAINLESS EMPIRE.

The General Land Office declares the present area of the rainless region to contain 529,000,000 acres. It is estimated that of this arid empire one-fourth can be brought under irrigation from natural streams and the impounding of water from the mountain rainfall. Arizona is credited with 49,000,000 acres. Converting this desert into farm homes for the thousands of home seekers is a matter which should concern every statesman and patriotic citizen, as it means much for our permanent national prosperity. The generous policy of the Government in the past in securing farm homes for our people, and thus "helping them to help themselves," has developed the great West. And a continuation of this policy is most desirable, for in the farm life of the Republic is the great moral reservoir and sturdy power which compensates for and holds in check the danger of great cities.

The farm lands of the rain belt are exhausted. The ambitious American farm boys and girls are leaving the parent nest prospecting for new homes. They must be provided. Thousands of the seething population of overcrowded cities are hungry for farm life. Thousands of foreigners are coming to our shores to enjoy the blessing of a free government and to anchor their future hope with us. They want farm homes. This demand can only be satisfied in the rainless region, and to this end it must be made available.

SOME RESULTS.

The good results which will come to the country at large from the conquest of this vast area of land to the use of man is incalculable, for it will give homes for millions of farmers, who will add to this bulwark of free government; in the construction of reservoirs and canals it will give employment to armies of toilers; the prolific products of the soil will demand railroads for exporting the same, creating another source of industry, and billions of wealth to be exported will mean millions of tons of traffic to American shipping and to the bankrupt Eastern railways, and, not the least important, the many resources created, demanding labor, will prove a safety valve for the restless surplus labor of overcrowded centers of population.

The Government can encourage no internal improvement which will do so much for the general good as this. It will yield tenfold more benefits than improving rivers, highways, or building forts and navies, for it will provide myriads of homes to myriads of American families, and all that this implies. It will plant in this arid region a vast, thrifty, rugged, virtuous population, as strong and mighty as the Rocky Mountains and as loyal as the perpetual sunshine.

HOW TO RECLAIM THESE LANDS.

The important consideration which is engaging the attention of this arid region is, How can capital be secured to bring these lands under irrigation?

Four national congresses have been held, composed of leading citizens of the States and Territories, at which this subject has been earnestly discussed. There appears to be a division of public sentiment touching the policy of the Federal Government in reclaiming these lands and reimbursing itself by an increased price on their sale. It has also been suggested that the Federal Government should make a loan to the Territory or State to reclaim these lands, the Government taking as a *security for the loans* bonds at 2 per cent.

THE SAFE POLICY.

I consider the Federal Government has inaugurated the safest, most conservative, and practical policy in the Congressional enactment ceding 1,000,000 acres each to the States in the arid region for experimental reclamation, conditioned that the land shall revert to the General Government if not reclaimed and occupied in a given time. This policy enables those States to invite capital, both corporate and private, to enlist in this source of profitable and safe investment, and avoids the policy of paternalism which Government subsidies foster, discouraging self-reliance and individual effort—the strongest characteristic of the frontier citizen.

I again call attention to the fact that the Carey law, above referred to, which ceded 1,000,000 acres of land to certain States, applies only to the Territories when they are admitted to statehood. This is a grave injustice. The Territory of Arizona should be allowed to avail herself at once of the beneficent provisions of this law. The last Territorial legislature adopted a joint resolution asking Congress to so amend the said law as to allow Arizona to at once avail herself of this liberal grant of land. As this is the most favored portion of the arid region, I believe sufficient capital and enterprise could be readily induced to reclaim every acre of the grant.

RECOMMENDATION.

I recommend that the said law be so amended that Arizona may at once avail herself of the same, and that a commission be created to whom the custody and disposal of the said lands shall be intrusted.

LEASING SCHOOL LANDS.

A wise provision of the Federal law sets aside the sixteenth and sixth sections of all townships of the surveyed public lands of the Territory for the benefit of the public schools of Arizona, but which can not be utilized until the Territory is clothed with the rights of a sovereign State. Much of this land so designated as school lands has been settled upon and is being cultivated. Under the law this land is not liable to taxation as are the lands of citizens contiguous thereto; neither are the schools receiving any benefit therefrom. It is estimated a revenue of from $75,000 to $100,000 annually could be derived from this source.

RECOMMENDATION.

I recommend that the Territorial board of education be empowered to lease these school lands for a term of years, the present occupants to be given the preference; the revenue derived therefrom to be placed in the Territorial school fund. We have a precedent in this recommendation, as Congress authorized the Territory of Wyoming to lease her school lands before her admission to statehood.

FORESTRY, THE LUMBER INDUSTRY, AND FOREST RESERVATIONS.

The direct benefits of forests to water supply are so apparent that attention should be directed toward the further protection, preservation, and improvement of our forest areas. Our mountain chains, clothed with forest trees, are in reality the life of the arid region. They are the fountain heads which gather the snows of winter and the rains of summer, and during the growing season gradually give up their treasured moisture to the parched plains below. With us it is not a question of land, but a question of water. The forests which clothe our high mountains are nature's reservoirs; strip these mountains of their forests, and the result of rains is only torrential floods; the streams which have their sources on these mountains, instead of being constant streams, will be great rivers for a day and dry washes for months.

The many streams which supply the Salt and Gila rivers find birth among the pines and firs of the high mountains south of the Colorado plateau. If the timber were taken from these mountains there is little doubt but the Salt and Gila rivers would be much more irregular in their flow. The preservation of the forests at the source of these streams is essential to the future prosperity of this Territory.

The President of the United States, as authorized by Congress, has the power, when petitioned by the people interested, to set apart portions of the public domain as forest reservations. Reservations of this character, when under proper supervision, provide for the immediate as well as the distant future. A forest reservation has already been established in northern Arizona, but it is of far more importance to this Territory that a similar reservation be established at the source of our most important water supply.

Forest preservation does not necessarily do away with legitimate lumbering operations. In our forests the trees suitable to manufacture into lumber are a small percentage of the entire growth. The remainder should be preserved from wanton destruction, and the laws of the United States in regard to forest fires most rigidly enforced.

LUMBER INDUSTRY.

The lumber industry of Arizona is mostly confined to the forest area south and westward from Flagstaff along the line of the Atlantic and Pacific Railroad. Large mills are in operation at Flagstaff, Williams, and Challender. Smaller operations are carried on in some of the more southern mountain ranges.

The Arizona Lumber Company, located at Flagstaff, is running steadily and employing from 250 to 400 men, according to the season, and manufacturing everything that can be made in pine, including flooring, ceiling, rustics, boxes, pickets, shingles, and lath, as well as furnishing a large quantity of railroad material. In addition to the steady output of a full line of commercial lumber for their regular trade, they have been doing a larger business with southern California than ever before.

The Saginaw Lumber Company is located at Williams, a point 37 miles west of Flagstaff, on the Atlantic and Pacific road. This company claims to have between 400,000,000 and 500,000,000 feet of timber under its ownership and control. They have a large planing-mill plant and box factory, and also have another sawmill plant at Challender, 12

miles east of Williams, and are turning out large quantities of ties and commercial lumber, as well as boxes and other material, for the southern California market.

The market for Arizona lumber has been considerably enlarged during the past year by the completion of the Santa Fe, Prescott and Phœnix Railroad, which has opened up the southern portion of the Territory to the sale of this product.

Arizona's product is now marketed east to Albuquerque and west to California. From the extent of our forests it is reasonable to expect that this industry will increase from year to year. The cut for the past year, in round numbers, was 35,000,000 feet, a considerable increase over that of the previous year.

FOREST AREA.

On this subject I quote from the report of Prof. J. W. Toumey, professor of botany in the University of Arizona:

So far as the forests of Arizona are concerned, the Territory may be divided into two widely differing regions, viz: The northern or plateau region, and the southern or Sonoran region. In general appearance and botanic characteristics the northern region is very similar to portions of Colorado and Utah, while the southern resembles northern Mexico.

The northern plateau has an elevation of from 5,000 to 7,000 feet above sea level, while mountains arising from it reach an elevation nearly twice as great. It is on this plateau—more especially on its mountainous portions and when the plateau begins to break down to the mesas farther south—that our important forests occur. In the southern or Sonoran region the wooded areas are confined to the high mountains and low river bottoms.

The timber in Arizona on the Colorado plateau extends as an almost uninterrupted forest at the Grand Canyon of the Colorado south through the San Francisco Mountains to the northern Bradshaw Mountains and southeastward into New Mexico. Competent judges have placed the timber on this plateau at about 8,000,000,000 feet. If to this be added the timber south of the plateau, the total quantity in Arizona can not be far from 10,000,000,000 feet. The forests of Arizona are not of scattered, stunted trees. Our best authority on American forests gives Arizona the credit of possessing one of the largest unbroken forest areas in the United States.

Yellow pine.—The yellow pine (*Pinus ponderosa*) is the only species of Arizona pine covering large areas suitable to be manufactured into lumber. This is a large beautiful tree, frequently 5 feet or more in diameter. Although this pine is the most abundant and widely distributed of our forest trees, the lumber products of a number of other species are of some importance, but on account of the more inaccessible regions in which they grow they have not, as yet, been utilized to a very great extent. The yellow pine is usually found at an elevation between 5,500 and 7,500 feet. At a conservative estimate, it occurs in quantity sufficient to provide, at the present rate of consumption, for at least a century.

Above the zone of yellow pine occur species of white pine, fir, balsam, and spruce. The trees in the zone immediately below the yellow pine are mostly nut pines and junipers, intermingled with quite a variety of deciduous species.

Mesquite.—The mesquite is the most important of the deciduous trees of southern Arizona. It provides fuel over large areas where other trees are meager and scattered. The wood is about as heavy as oak, and the fuel value is equal, cord for cord, to hickory. Its durability, exposed to the weather or submerged in water, is very great, hence it is of considerable value for fence posts and other similar uses.

The foliage, but more especially the ripened pods, contain a high percentage of nutriment, and makes excellent forage. This tree has a greater variety of uses than any other American tree.

Number of species of Arizona trees.—The general impression is that Arizona has but few species of indigenous trees. Quite to the contrary, however, the number of our native species is excelled by but few States in the Union. Among our indigenous trees are nine species of pine, ten of oak, three of palo-verde, three of ash, besides maple, walnut, sycamore, locust, alder, elder, fir, cypress, balsam, spruce, cherry, arbutus, juniper, and many others of less importance.

A number of our trees grow to considerable size—black oak 4½ feet in diameter, walnut 4 feet, while some of our northern pines and firs are even larger.

Value of native trees and shrubs for ornamental purposes—There is but little question that when the people of Arizona become fully awakened to the value of a number

of our native trees and shrubs for ornamental purposes a much more extended use will be made of them. They will be grown in preference to the much less hardy plants from other places.

Our native trees and shrubs will grow with a limited amount of care and a minimum supply of water. Introduced species grown for ornamental purposes as a rule require more care and water than many can afford to give them. As a single illustration, our native white ash (*Fraxinus velutina*) is a most valuable shade tree for general purposes. It is a tree of rather rapid growth and of but little expense, and is of far more value than any of the high priced imported trees.

RECOMMENDATIONS.

I recommend legislation which, without inflicting hardship on existing interests, shall protect in some manner our forest area from devastation by fire or improvident methods in manufacture. The close connection between forest covering and water supply in this Territory is patent, and as our agricultural resources are developed and the consequent increase in irrigation facilities and methods takes place more and more attention will necessarily be given to that which, more than any one thing, is destined to be the foundation of all permanent prosperity in this region.

There is no one thing with which our children's welfare in the near future is so closely identified. I can not too strongly emphasize this. The Government forest reserves in this Territory ought to be put in the hands of a competent commissioner of forestry, who should have enough assistants under his control to thoroughly patrol our forest areas and prevent all illegal or improvident use of this, the grandest legacy that has been left us from past centuries. The residents of the unforested areas of the Territory are quite as much, if not more, interested in this matter as those who live on our forest plateau and make their present living among the timber.

My recommendations are not meant to stop nor even to interfere with the cutting of timber. On the contrary, they embody as an essential feature of the programme the cutting of every ripe tree. Timber is a crop to be reaped at maturity the same as every other crop; but the proper plan does involve the cutting of trees in the right manner, at the right time, and under proper directions; and, above all, it means the prevention of wanton waste and improvident destruction of every kind.

An effective and inexpensive commissioner charged with this duty could be detailed from the United States Army stationed at military posts adjacent to these forests.

MINES AND MINING.

As a producer of precious and other metals, Arizona has not only maintained her position in the list of States and Territories, but has largely increased her output over that of previous years. This is notably true of copper. It may be of interest to know that Arizona's contribution of gold, silver, and copper during the nineteen years ended June 30, 1895, was of a total value of $113,739,128.

Her output of gold last year was $4,260,000, being an increase of $2,179,750 over the year 1894, more than double the output of that year and four times the production of 1893. I believe it is safe to predict that at the close of the next fiscal year Arizona's gold production will have reached $10,000,000. This estimate is based on the large number of new gold discoveries, the rich developments being made, and the number of reduction works being erected, as well as the enthusiasm

displayed among prospectors and the eagerness of capitalists to invest in gold mining.

The silver output, 1,750,000 ounces, valued at 65 cents an ounce, gave a return of $1,137,500, being a decrease of $563,560 for the year.

The copper production was 49,661,289 pounds, being an increase of 1,390,798 pounds, the value being $6,207,611, and this notwithstanding that one of the largest producers in the Territory was closed during eleven months of the year. The rise in the price of this metal has greatly stimulated the copper industry, and the plants now in operation are all moving to double their output. Several other copper properties will become producers during the year. The quantity of this metal deposited in Arizona is marvelous, and the future output will be only limited by the price and the facilities of carrying the same to the markets. It would not be a matter of surprise if the output of copper during the next twelve months would be more than double that of last year.

The value of the lead product is estimated at $350,000.

To these add the export of our fine building stone, marble, and onyx, which will aggregate more than $500,000 in value, and the output of our mines for the fiscal year ended June 30, 1895, will reach $12,455,111. Never before in the history of the Territory has there been so much activity in mining and such an encouraging outlook for a long, permanent, and profitable era for this industry.

There are to be found few idle miners who are desirous of employment. Arizona is to-day a busy hive of toilers. Should silver rise to 85 or 95 cents per ounce there would be a veritable flood of mining industries in Arizona.

The present activity in mining is in a measure due to the construction of new lines of railway through some of our richest mining regions. To this may be added the influx of experienced mining men with new capital, as well as improved machinery, and also to a better method being adopted in those mines already operating.

The following contribution to this subject from J. M. Ford, M. D., Ph. C., who has for fifteen years been practically identified with the mining industry of Arizona, can be accepted as authority:

New methods.—Prominent among the new methods that have found their way to our mines may be mentioned the "cyanide process," a process of leaching the finely divided ores by a solution of cyanide of potassium. The process is peculiarly adapted to the working over of old tailings, as also the extracting of gold from sulphide ores that contain no copper. Several plants of the cyanide process are now working successfully upon tailings and sulphide ores.

The future.—The outlook for the future in gold mining for Arizona is very bright. There is not a shadow of doubt but Arizona will in the near future take front rank as a producer of gold. It is an indisputable fact that gold is more widely diffused and in much more accessible and workable quantities in Arizona than in any other State or Territory of the Union.

Arizona, whose every mountain is seamed with rich veins carrying gold, silver, or copper, and whose every mesa and valley is practically a gold placer, can not long remain undeveloped. The rich placer grounds of the Hassayampa, Gila, Colorado, and Salt rivers, as well as the numberless smaller streams known to be rich in gold, are all destined to be worked at no distant day. They only await the magic touch of capital to produce fabulous returns upon the investment. With capital to construct storage dams upon the rivers and streams, and with management and machinery suitable for the purpose, the placer mines of Arizona will astonish the world with their marvelous riches.

Arizona has countless numbers of gold-bearing veins, in which the gold is associated with other metals, such as silver, copper, iron, lead, antimony, and zinc, whose presence renders it impossible to extract the gold by the easier method of milling and amalgamation. Some yield a small percentage of free gold to the plates of the stamp mill, and by the use of concentrators an additional saving is effected. The concentrates are required to be shipped long distances by wagon and rail to smelters for reduction. These methods will soon be changed. Smelters and reduction works

are but a few years away, and when they come Arizona will be emancipated and the grandest era of gold mining will be inaugurated that the world has ever witnessed.

Free-milling ores.—It is conceded that Arizona has a larger percentage of free-milling ores than any other portion of the United States.

These veins are the ones most assiduously sought after by the prospector, and are the ones now being most exclusively worked. The present output of gold from the Territory is almost wholly from veins of this character. A record of $4,125,000 from free-milling ores alone is remarkable, and it is beyond question that not one-tenth of the Territory has yet been prospected. What shall we see when the milling ores of Arizona shall be supplemented by the ores of the refractory character treated by the smelting process? Is it not fair to assume that the production of gold will be doubled and even quintupled?

Permanency of the mines.—The shallow statement has gone forth that the gold mines of Arizona will not "go down;" that is, will not carry the gold as depth on the vein is attained. That some of the gold veins do not carry their values down is as true of Arizona as it is of California, Colorado, New Mexico, Montana, or Idaho, but no truer. Arizona is, with respect to her mountains, of extreme age. Her gold veins were in their manhood long before the mountains in Colorado were born. The erosion in Arizona in places has been very great. Many of her mountain ranges have been eroded until the merest stumps of mountains remain.

Along the margins of the great mesas flanking the Gila, Salt, and Colorado rivers the remains of extensive mountain ranges are attested by numerous small buttes and hills with small intervening valleys. In these localities the erosion has been several thousand feet, leaving nothing of their former grandeur except the low ranges and buttes on the mesa in these localities. Many rich veins of free-milling gold ores have been opened and worked. Many of them paid handsomely, and mills were erected upon some. It was soon found that the veins did not go to any considerable depth, the miner overlooking—or the fact was unknown to him—that some 4,000 or 5,000 feet of his vein had been eroded and carried away to the valleys and mesas by the action of the great meteoric, aqueous, and organic agencies, leaving him the stump of a mineral vein.

The earlier mines of Arizona were located and worked in these easily accessible localities. Many of them were extremely rich in free gold, but they would not go down, and therefore were abandoned. From the habit of the shallow veins above mentioned arose the theory of no depth to Arizona gold mines.

The gold-bearing veins located in the higher mountain ranges in all parts of the Territory will go down and do go down, as is well attested by the many profitable mines now being worked in all sections of Arizona.

No careful geologist or mineralogist will make the assertion that the gold mines as a class in the counties of Yavapai, Mohave, and Coconino on the north, or Pinal, Graham, Cochise, and Pima on the south will not go down.

The elevation and formation indicate great depth for a majority of the mines in Arizona, and they will continue to carry their values with depth long after her traducers shall have whistled so far down the wind that no memory of them will ever return.

Arizona offers an inexhaustible field and greater inducements to the careful and intelligent miner than any known gold-producing country. She offers the miner climatic conditions unexcelled by Italy, or by any mining country in the world. No hibernating winters; no avalanches. He can spend one day at his mine and the next day at his vineyard or orange grove.

Silver.—The production of silver the past year, although handicapped by continued low prices, has been quite up to that of the preceding year. The total production amounted to 1,750,000 ounces, a slight increase over that of the preceding year. With anything like a fair advance over present prevailing prices, silver mining would make rapid progress in the Territory. Besides the excellent silver mines now being worked, many rich mines of silver are known, and upon the slightest encouragement would be rapidly developed. From a purely disinterested standpoint it may be to Arizona that in the loss of her silver industry she is largely the gainer in the increased activity of her gold production, but we are selfish enough to want the full measure of activity in both.

Copper.—The production of copper has been largely increased the past year over the production of the preceding year. And this has been accomplished despite the fact that one of the oldest and largest mines has been shut down for the greater part of the year. The suspension of operations by this mine was made for the purpose of remodeling its plant and the construction of a railroad to its mines.

The total output of copper for the year has been 49,661,289 pounds, against an output of 48,270,500 pounds the preceding year, an increase of 1,390,798 pounds, which under the conditions is a very creditable increase. By a comparison of the money value of the copper produced this year with that of the preceding year a very striking increase is shown. Taking 10 cents per pound as the average price for the

preceding year, the money value of the copper produced was $4,827,050. Taking 12½ cents as the average value for the past year, the money value amounts to $6,207,611.12, an increase in money value of $1,480,561.12.

Had not one of the prominent mines shut down for part of the year the copper output for the past year would have reached 55,000,000 pounds. It is confidently expected that this figure will be reached the coming year.

The advance in the price of copper the past year has given a renewed impetus to the mining of copper throughout the world. No country has felt the revival in a greater degree than Arizona. The Territory of Arizona is destined in the near future to take first place in the production of copper.

The mines that are being worked for copper at the present time, with one notable exception, are situated in the southern and south central portions of the Territory. This fact is largely due to the early construction of the Southern Pacific Railroad through that portion of Arizona. The advent of the Atlantic and Pacific, and more recently the Santa Fe, Prescott and Phœnix Railroads, has drawn attention to rich copper deposits in the northern portion of Arizona.

A new field of great promise for the copper industry has been opened within 40 miles of Tucson. Large quantities of high-grade copper ore are being shipped daily to smelters from that field.

In the region of the Grand Canyon large deposits of sulphide of copper are known to exist, which only await the advent of transportation facilities to become large producers of copper. Many rich veins of copper ore of more or less magnitude have been located in the north central portion of the Territory. Many of the veins of copper ore in this region carry gold in a high degree. These rich deposits only await the erection of reduction works at some convenient point to become large contributors to our gold and copper output.

Lead.—Arizona is not a distinctively lead-producing country. Her production in the past has been produced as an accompaniment of silver; and being so associated it follows that the depression of the silver industry of the Territory entails a comparative loss of lead production. As most of the lead that is produced is shipped as ore to foreign reduction works, it is difficult to even approximate the amount produced. It is a fair presumption that inasmuch as the silver product held well up to that of the previous year that lead also kept up to the standard of last year.

Arizona has an abundance of lead ores to tempt the miner when a call for such ores shall be made. Should the silver industry fail to revive in the near future, lead must certainly advance in price, owing to the falling off in the mining of argentiferous lead ores. With an advance in the price of lead, the erection of smelters in the gold-producing districts for the reduction of nonoxidized gold ores must surely follow. Under these conditions the production of lead will increase to a great degree, as will also the production of gold. Arizona is bountifully supplied with all the fluxes necessary to a successful reduction of any or all of her refractory gold ores. The smelting era for gold must soon be inaugurated in Arizona, and when that condition shall be established under competent management the production of lead, silver, and gold will be marvelous.

Iron.—Iron as a mining industry in Arizona can not be relied upon under present conditions that exist in the manufacture of iron and steel in America. Arizona is rich in the various ores of iron, but, save in the use of some of the oxides as flux for sulphide ores in the smelting of gold and silver ores, there can be no practical use made of our rich deposits of iron. An increase of population, with cheaper fuel and transportation, may in the future do something for the iron industry in Arizona, but not for the present.

Manganese.—Arizona is bountifully supplied with manganese and ferro-manganese ores. These ores are destined to play a very important part in the metallurgy of the Territory. The rapid development of the steel industry, especially the manufacture of steel by the Bessemer process, in the United States has increased the consumption of manganese to an enormous degree. The present source of supply of the great steel manufacturing centers in the United States is from foreign countries, with the exception of small deposits in Virginia and Arkansas, which furnish a very limited supply. The bulk of the ore is imported from Germany and Cuba. The consumption of manganese ore in the United States exceeds 200,000 tons annually, with a diminishing foreign supply and a steadily advancing price. Arizona may expect in a very few years to become a large contributor to the world's supply of manganese. It is not improbable that with proper efforts for rates of freight a profitable business could now be established in the mining and shipping of manganese ore from the Territory. It at least is worthy the effort of our mining people.

Coal.—Coal is known to exist in quantities in the northeastern portion of the Territory. The field has not been sufficiently prospected to determine fully its extent and quality, but from samples shown it gives great promise for the fuel supply of the future in the Territory. Should the fields of this part of Arizona prove to be of the later period of the Carboniferous age, coking coal of a fair quality is among the

possibilities. With coking coal of easy access the erection of large smelting works for the reduction of gold, silver, copper, and lead ores would be assured. The smelting era in Arizona mining must come eventually, even should the fuel have to be imported, but with fuel assured within the Territory the erection of the works would be but a question of time.

Other metals and minerals.—Some of the rarer metals, such as nickel, bismuth, cobalt, vanadium, and molybdenum, have been found in appreciable quantities at various points within the Territory. It is fair to presume that none of them are destined to play a very important part in the production of wealth, with the possible exception of nickel and bismuth.

Precious stones.—Turquois, opals, garnets, tourmaline, jasper, agatized wood, and chalcedony are all found in Arizona, but no mine of importance has as yet been developed. Considerable quantities of agatized wood have found a market, some of which is very beautiful and highly valuable.

Other minerals.—Marbles of various shades are abundant, and must in the future attract the attention of dealers in marble. Onyx of superior hardness and markings is found in several localities in Arizona, the quality and value of which is said to equal the best from other countries. The marble and onyx beds of the Territory are inexhaustible, and must in time prove a great source of revenue to the Territory.

MINERAL SPRINGS.

Mineral springs are found in all portions of the Territory. Many of them are thermal springs of inestimable value. No country in the world is so richly endowed with health-restoring natural mineral waters as Arizona. Among the most noted examples of hot mineral springs may be mentioned those in Yavapai County. These springs are known to possess remarkable mineral qualities, combined with a high temperature, which render them extremely valuable in the treatment of many forms of disease.

It is contemplated in the near future to build a railroad from a suitable point on the Santa Fe, Prescott and Phœnix Railroad to those springs. The climate of Arizona, being mild and dry, is very beneficial to many persons suffering from debility and wasting forms of disease, and the location of these hot springs is in one of the most favored spots in Arizona, so far as climate is concerned. And these are the only hot springs in the Union that are situated in a perfect winter climate.

They are destined in a short time to become famous for their valuable qualities.

At Agua Caliente are some very fine hot springs that have been resorted to from the earliest settlement of Arizona for their medicinal qualities. The great diversity of climate of Arizona, coupled with her many mineral springs, both hot and cold, will make her a veritable paradise for the invalid and those seeking rest and repose from over-activity in business.

THE STOCK INDUSTRY.

The stock industry has been fostered without prejudice or discrimination by wise legislation and without favoritism to either the large or the small raiser. Millions of dollars are invested in it; a large proportion of the taxes are paid by it. It is just emerging from a series of years of great depression, and is looking forward to a much more prosperous era.

No part of the arid area of the United States, upon which cattle graze the year round without artificial shelter, surpasses Arizona for the variety and nutritive qualities of its native grasses. Previous to 1892 and 1893 cattle were found at all seasons of the year upon the open ranges in fit condition to satisfy the exacting demands of the California market.

Values of cattle have been constantly going down, perhaps in sympathy with the universal decline in all business the world over since 1885. At present a far better feeling pervades all interested in the business. That there is foundation for the belief that more prosperous times await the cattle grower is evidenced by the considerable advance in prices. A year ago yearling stock was hard to sell at $4 or $5 per head; 2-year-olds brought $6 to $8; 3-year-olds and over brought $11.50 to $13, and there was but a light demand. To-day yearlings are selling from $8 to $10 per head; 2-year-olds at $13 to $15, and 3-year-olds at $14 to $19, and the country is overrun with buyers anxious to contract for May (1896) delivery.

There is a general and widespread belief that a shortage of cattle now exists and necessarily must continue for a few years. Because of this belief, which seems to be well grounded, the present outlook for remunerative prices for the product of the ranches is exceedingly flattering.

WATER SUPPLY.

On no one thing is the ranchman so much dependent as on water. Not only does he want plenty of it on the range, but the success or failure of his enterprise depends largely on its even distribution. The importance of this is known to every practical cattleman, and the first note of complaint is always that the water is drying up and the cows have to go such long distances for water. This source of loss will be largely overcome when the grazing land is leased as herein recommended. The ranges of the mountainous part of the Territory fare better in this respect, because there the rainfall is usually abundant in the winter months, and there being less evaporation water is generally found in canyons reaching out into the plains until late in summer.

RANGE PRODUCTIVENESS.

In the early days of cattle growing in Arizona this country was par excellence the breeder's paradise. Actual count on some ranges gave 95 per cent increase, and 80 and 85 per cent was the general rule. Overstocking and the drought combined reduced the percentage, until those best posted put the increase in recent years at not over 25 per cent. As stated in my report of 1893, cattlemen have had much to learn in the hard school of experience. They will never again commit the blunders of the past. Their energies will henceforth be given to producing a better steer, a more valuable animal, and not to adding mere numbers to their herds.

That the climatic conditions are not equaled in the United States can be safely asserted. With reasonable foresight hereafter no such losses as heretofore sustained will again be possible.

IMPROVEMENT OF RANGE HERDS.

The range system of grazing cattle in Arizona—where all stock of all owners graze in common on the public domain—prevented the early and rapid improvement of herds that has been noticed in every section of the country where the grazing areas were controlled by the owner of the stock. The statement of this fact explains itself—no one owner wanted to buy bulls to improve his own and his neighbors' herds.

The topography of the country, however, enabled some progressive ranchmen to isolate a portion of their herd and a few practically isolated their whole herd. Improvement was begun upon these herds in 1882,

the most, however, being done in 1883, but not much notice was taken of this work until the produce selling in the open market for one-fourth to one-third more aroused all cattle owners to the necessity of grading up their herds.

The original cattle of the country were of Mexican stock, and the first improved blood used in the herds was of Shorthorn stock. The cross-bred animal was not only improved in color, but in form and in ability to take on fat and hold it—a desirable quality in a steer whose end is the shambles. The greatest improvement has been brought about by the importation of Hereford bulls; not that it is the more noticeable because of the conspicuous white faces they carry, but on account of the real quality they impart to their progeny. In vigor, robustness, and endurance they are the equals of the native cattle of this country. They stood the drought better than any of the improved breeds, and quite as well as the native cattle. As a grass animal—that is, one that will fatten readily and rapidly upon grass—they have no equal. They sell as well as any others in the beef markets, and outsell all others in the feeding markets of the country. These reasons have induced the Hereford to be largely chosen in Arizona, and the resulting improvement in the herds has been wonderful.

HORSES.

The improvement in the general horse stock of the Territory has been far more rapid and permanent than is known to the casual observer. From 1883 to 1886, while horses were bringing large prices, many excellent horses of the different breeds were brought here, and their produce in the main has been carefully preserved. From Kentucky were brought the choicest specimens of the saddle breeds, as represented in the families of Denmark and Montrose; of the standard-bred trotters, by horses of Mambrino, Hambletonian, and Bluebell blood; and runners of many strains, chiefly of Bonnie Scotland, Leamington, and Longfellow descent. From Tennessee were brought pacers from the noted Tom Hal stock. All horsemen who have had experience with the range-raised produce of these importations concede that for endurance and intelligence they are not surpassed, if equaled, in the world.

The exceptional advantage breeders of the highest class of horses, both trotters and runners, would secure by locating in southern Arizona is just beginning to be understood and advantage taken of it by enterprising owners. The wonderful success of the trotting horse Zombra on the Pacific Coast is an indication of what Arizona feed and climate will produce. Distinguished horse breeders boldly assert that Arizona is producing the highest type of the horse in the world.

The range-horse industry is now passing through the most critical period of its existence. The supply is far in excess of the demand. Cow ponies that from 1879 to 1887 were in good demand at prices ranging from $40 to $75 each can not now be sold for $15 per head on the range. The freight to any horse market in the world would exceed the price they would bring.

Under these conditions the ranchman has no inducement to keep on breeding up his stock, and but little encouragement to see that his herd does not deteriorate. In fact, in such periods of depression it is only the true breeder who does keep up the quality of his herd.

SHEEP.

The sheep industry is confined principally to the northern section of the Territory. Owing to the depreciation in the price of wool during the business depression prevailing throughout the country great loss

was sustained by this industry, but with the general return of prosperity our woolgrowers have shared the same. There were exported from the Territory during the year 48,476 head of sheep and 2,904,130 pounds of wool.

SWINE.

The raising of swine has become a profitable industry. The alfalfa field is the natural home of these animals, this forage causing rapid growth and producing a healthy animal. It takes but a few weeks' feeding on grain to make firm flesh and a profitable product. Outside of the home consumption swine are shipped to California and Texas.

THE LIVE STOCK SANITARY COMMISSION.

When we compare the small outlay for prevention by which the freedom of the Territory from cattle diseases has been attained with the losses or expenses of remedial measures (never more than partially successful) in other States we have every reason to congratulate ourselves.

The responsibility of preserving and retaining this immunity from disease, thus securing unrestricted entry for our cattle to all parts of the country, is intrusted to the live stock sanitary commission, a board of three men selected from among those most interested in this industry. A competent veterinarian is secretary of this board, his entire time being given to the work of prevention, which is ample guaranty to all sections of the country that no disease will be allowed to obtain a foothold here.

It is a fact that Arizona is perhaps the healthiest live stock region in the world, and that no infectious disease has ever originated among our cattle at home; neither has any such disease ever been introduced into Arizona from abroad which has communicated itself to Arizona stock. The great majority of the cattle of Arizona are sold into Kansas, Nebraska, Wyoming, Montana, and the Dakotas. It is because the people of these States who handle our stock have a right to demand a clean bill of health that the cattlemen of Arizona have engaged competent veterinary assistance and have established veterinary regulations, to the end that there may be no embargo on Arizona's live stock.

LIVE STOCK INSPECTION.

The operations of the force of inspectors and detectives during the year covered every county in the Territory. The workings of this system of inspection have been unusually satisfactory during the past year and have met with the universal approval of Arizona stockmen. Not only was the number of cattle shipped from the Territory 217,013 head greater than during any other year, but the record shows that the results of the inspectors' work has been proportionately greater. Under the old system of selling and shipping cattle there was doubtless a large number shipped without the knowledge or consent of the owner and no account ever rendered for them, but under the present system it is practically impossible for any person to ship cattle from the Territory without being authorized in writing by the owner.

Under a law enacted by the last legislative assembly the board of stock commissioners inspect all cattle slaughtered in the Territory. This law has been in force since April 21. Reports to date indicate that between 22,000 and 25,000 head of cattle are annually consumed in the Territory.

GRAZING LANDS.

In general it may be said that all of Arizona not redeemed to agriculture is grazing land. On account of the lack of water considerable portions of this area have not as yet come into use as grazing lands, but by sinking wells and developing surface water more each year is being utilized for this purpose. The scattered and diversified vegetation of our numerous mountain ranges provide considerable forage during seasons when the vegetation of the plains is shortened by drought.

The grazing lands are well distributed over the Territory, stock raising being an important industry in nearly every county. The grazing lands of Arizona situated on the Colorado plateau are more uniform and are richer in perennial grasses than those of the southern plains, where the cattle feed in large measure upon quite a variety of shrubs and miscellaneous plants, some of which provide large quantities of excellent forage.

FORAGE GRASSES.

The grasses of Arizona include more than 250 species, of which number about a dozen species constitute 90 per cent of our grass forage. A large percentage of our best grasses are perennials. These grasses as a rule have numerous strong roots and remain green the greater portion of the year. Many of them are excellent forage grasses, on account of their high percentage of nourishment; far better, weight for weight, than the more succulent grasses of the East. The more important of our perennial grasses are known to stockmen as "black grama," "white grama," "tall grama," "spear grass," "gietta grass," and "deer grass," and are mostly species of *Hilaria*, *Bouteloua*, *Panicum*, and *Sporobolus*.

The abundant grasses which cover the plains and mesas after the summer rains and in early spring are annuals, known as "six-weeks' grass." These grasses are short-lived, germinating, growing, and ripening in the short period of from five to eight weeks. Although not nearly as valuable forage as the perennial species, they provide large quantities of forage during some months of the year.

The climatic conditions are such that grasses at maturity cure upon the ground, retaining a large part of their nutritive value, and during the winter months are the most important feed upon the open range

OTHER FORAGE PLANTS.

In addition to the numerous grasses which provide forage on our 50,000,000 acres of range, a large variety of evergreen and deciduous shrubs add not a little to the forage of the Territory. The foothills and low mountains are nearly everywhere more or less thickly covered with a growth of these bushes, which during a portion of the year provide the principal forage in many localities.

In southern Arizona "mesquite," "pig-nut," and "white sage" are among the more important of these shrubs, while in the north "black sage" and "buck brush" provide excellent forage.

For a more detailed account of the stock industry, foliage, grasses, etc., I refer to my report of 1893–94.

LEASING GRAZING LANDS.

A large portion of the arid area of the United States has in all past time been devoted to the raising of live stock. The conditions have changed so little within our knowledge of the country that it is fair to

presume that for many years to come the land used in the past as grazing land, and still so used, will continue in the future to be used for the same purpose. The hope that the rain belt would follow westward with the settlement of the country, and that the plains and mesas of New Mexico and Arizona could be brought under cultivation, is not shared by practical observers living in these regions.

The policy of public land being open to the occupation of every person who chose to turn a cow upon it has been a popular one, but the experience of the cattlemen of Arizona, who, by overstocking during the drought years of 1891, 1892, and 1893, lost from one-half to three-fourths of all the stock on the range, indicates that a better system would be for the General Government to allow the Territory to lease the grazing lands, somewhat after the plan Texas has adopted for leasing her public lands.

ADVANTAGE.

The benefit to the Territory would be the income from the leased lands, and as the Territory is charged with the expense of maintaining law and order on the public domain, these revenues would compensate for the same. The benefit to the cattlemen would be that every owner could regulate his business according to his own idea of how it should be conducted, and at much less expense than under present conditions. The quality of the herd would be more rapidly improved, and each owner would get the benefit of his own outlay for such improvement. The ranges would not be overstocked, and cattle would be fat at all times of the year, as they were in the early days of the range industry in the Territory. They would be salable at all seasons, and as fat cattle are always in demand the increased receipts from any certain herd would warrant the payment of a moderate rental, say of 2 to 3 cents per acre. Prominent ranchmen express the opinion that 500 cows in a pasture will produce more profit than 5,000 on the open range.

As the business is at present conducted, at no time are there any fat cattle upon the open range. All products must be sold as feeders, at one season of the year, to buyers from some maturing section of the country.

PROTECTION TO SMALL HOLDINGS.

That large areas may not be monopolized by great companies or syndicates, to the injury of the persons desiring smaller tracts, the rules governing the leasing should provide that beyond a certain acreage no leases should be made to any individual or corporation unless it was conclusively shown that there were no other applicants, and that the present occupants of ranges, especially those owning smaller herds, should be protected and given the preference in leasing the lands now occupied by them. The leases should set forth that they in no way interfere with the right of any citizen who desires to acquire title under any of the land or mineral laws of the United States.

AREA OF GRAZING LAND.

The grazing lands of Arizona comprise about 60,000 square miles, or nearly 40,000,000 acres. It is safe to say that there is not in the United States a like area so well adapted to pastoral pursuits. Much of the grazing area that is practically useless because of the distance from water would be immediately utilized if leases such as I recommend *could be made* for a term of years, guaranteeing to the lessee the exclu-

sive use of his development of water, whether it be in the sinking of wells or in constructing reservoirs to impound the water coming from the mountains during the rainy season. The magnitude of the stock interest of the Territory, and the certainty of doubling the productive capacity of the ranges under the lease system, should enlist the attention of your Department.

WILL ADD PROFIT TO STOCK INDUSTRY.

There is an increasing inclination of all cattlemen to sell steers when 2 years old to Northern ranchmen, who take them to Montana and the Dakotas to fatten, experience having taught that the results are better than shipping steers a year older to Kansas City or Chicago. It has been demonstrated that to ship steers direct to market from our short ranges was unprofitable, the haul of 1,500 to 2,000 miles rendering the best of them entirely undesirable and fit only for "canners." This grade of cattle always selling for the lowest price, it follows that the custom adopted of selling to Northern ranchmen to mature has not been of choice.

RECOMMENDATION.

I recommend that provision be made for the leasing of all such grazing lands of the public domain in Arizona as may be found practicable, under such conditions as will protect all small holdings and claimants; that the revenue therefrom go to the Territory, one half to the support of the public, normal, and reform schools and the university, and the remainder to be appropriated to the payment of the interest and the redemption of the public debt of the Territory.

Such a provision, provided the entire grazing area is leased, will yield to the revenue of the Territory from $600,000 to $700,000 annually, which will cause a reduction of our present tax burden nearly one-half, and in twelve years pay every dollar of Territorial, county, and municipal indebtedness.

OUR INDIAN WARDS.

There are in round numbers 37,000 Indians within the borders of Arizona. They are located on five different reservations, under the supervision of the Government. All are on terms of peace. Not a single white has been killed during the year by Indians. The capture and the removal of Geronimo and his Apache tribe by Gen. Nelson A. Miles several years ago settled the Indian wars of Arizona by the separation of the criminal element from those who were peaceably disposed. The war spirit of the Indian has been crushed and his savage nature subdued. He now respects force, fears to violate the law, and is in a condition of almost absolute dependence. The Government and the people of Arizona have the Indians on their hands, not as savages, but as a conquered, dejected, and dependent race. What shall be done with them is the all-important question to both the Government and the people of the Territory.

THE PRESENT PROBLEM.

The problem now to be solved is, What shall we do with the tens of thousands of Indians who once inhabited this Territory unmolested, but have been subdued and located on reservations, almost wholly

dependent upon the Government? Many of them have been in a state of semicivilization for years. These receive but little assistance from the Government, but their freedom to follow the chase is circumscribed by the limits of their reservations. While some of the boys and girls are being cared for in training schools located on and off the reservations, and much good is being accomplished in this line, many of the adults are becoming an expensive and threatening charge. Complaints are being made by settlers of both southern and northern Arizona charging the Papagos of the south and Navajos of the north with stealing and killing large numbers of stock. In many instances these Indians seem to be driven into a state of vagabondage and thievery, having nothing to do but starve in idleness or steal for subsistence. To a casual observer it would seem the Indian has been converted from a savage into a vagabond or a thief.

SOME OF THE LOSSES SUSTAINED.

An investigation recently made concerning the losses sustained by stockmen ranging their cattle in Pima County (a report of which was forwarded to the Indian Bureau) shows that during the last four years the Papago Indians have stolen and slaughtered stock from three citizens alone of the total value of $68,323. The Indians became so bold in the stealing of cattle that the stockmen were compelled to vacate their ranges, at an additional loss of over $41,000 expended in developing and storing water.

The stockmen of northeastern Arizona have also suffered much loss from the Navajo Indians, several thousand of whom are constantly off their reservation roaming through the counties of Coconino, Apache, and Navajo, stealing, killing, or driving away stock, often destroying crops and damaging irrigating canals, causing much loss to the citizens of that section of the Territory. Again, these Indians drive their herds from their reservation into the ranges of the stockmen of the Territory, causing no little friction.

On this subject I quote the following from C. H. Fanchier, general land agent for the Atlantic and Pacific Railroad, which has a large grant of land in that section of Arizona. Mr. Fanchier says:

> The Navajo Indians are not confined to their reservation, but are allowed to roam and graze their stock for miles south of the reservation. This fact prevents the company, to a great extent, from settling lands anywhere within 40 or 50 miles of the reservation. The Indians not only drive their own sheep and cattle on the public and railroad lands, but they kill the stock belonging to the settlers and drive them out. They should be compelled to remain on their reservation with their stock, and if the reservation is not large enough it should be increased in size. For the purpose of adjusting this matter the company would be willing to release to the Government lands belonging to it in the immediate vicinity of the reservation, taking other lands, on even sections and at equal distance from the railroad, at some other point along the line. As long as these Indians are allowed to continue off the reservation anywhere from 40 to 50 miles there is bound to be more or less trouble between them and the stockmen, and I believe there is nothing else that does as much injury or causes so much trouble between stockmen and the Indians. In talking with Gen. C. H. Howard, of Chicago, a short time ago in regard to the development of an irrigation scheme in the vicinity of Winslow, he stated one of the greatest objections they would have to overcome in the settlement of that section of country was the prejudice and fear that Eastern people had of the Indians, and he stated that their fears were grounded on the reports which they read in regard to the troubles existing between the Indians and stockmen.

I also call attention to the memorials adopted by the last legislative assembly of Arizona touching the depredations of both the Papago *and Navajo* Indians, above referred to, praying the Government to

adopt measures to compel them to remain on their reservations and to prohibit the Navajoes from pasturing their stock outside of their reservation boundaries, and to protect citizens from the wholesale stealing and slaughtering of their stock by these Indians.

The request of our citizens touching this subject is just, and ought to receive an early consideration by the Government.

A REMEDY.

The large area of land set apart as reservations for those respective Indian tribes are in every way adequate to their necessities, furnishing ample grazing and lands capable of reclamation to agriculture, provided water for irrigating the same can be had. The Indians are not only willing, but anxious to secure farm lands, from which they can support themselves. They would rather work than steal. The conditions which drive them from their reservations are not of choice, but of necessity, to allay hunger.

AN ILLUSTRATION.

To emphasize this fact I quote the following from the Florence (Ariz.) Tribune of recent date:

Wee paps and three other Pima Indians were tried in the district court this week, pleaded guilty of grand larceny, and were sentenced to one year each in the penitentiary. It seems they had stolen some ponies and traded them for food. Wee paps made a pathetic speech to the court, which was translated by an interpreter. He said in effect:

"For hundreds of years my people have lived on the banks of the Gila River. We have always been honest and peaceful, and have supported ourselves and never asked for any help from the Great Father at Washington. We have raised our own wheat and corn, and ground it in our own metates. Until the past few years we have always had plenty of water to irrigate our farms, and never knew what want was. We always had grain stored up for a full year's supply. We were happy and contented. Since the white men came and built the big canals and acequias we have no water for our crops. The Government refuses to give us food and we do not ask for it; we only ask for water, for we prefer to earn our own living if we can. I am no thief, and I will not beg, but my wife and children were hungry, and I must either steal or they must starve. So I took the horses and traded them for grain, and the hunger of my family was satisfied. You can do with me what you will. I have spoken."

This is the whole story, and in a measure will apply to the Maricopas and Papagos. These tribes have a total area of land—included in four reservations—of 488,920 acres, much of which is the most desirable farming land in the Territory. The same can be said of the White Mountain Apache Indians and their reservations.

LABOR, WATER, AND IRRIGATION.

The Indians of Arizona have learned the first step in their civilization, that of stock raising; the second, the tilling of the soil, many have already learned, and others are anxious to learn. There is no civilization without labor, and agriculture is the natural and most practical means of providing them the resource for labor and subsistence. The solution of the difficulty can be reached in providing the Indians with water to irrigate and cultivate their lands, which should be allotted to them in severalty. This done, the Indian will be on the shortest road to independence and to become an industrious and taxpaying citizen of the Territory.

The Indian given his land in severalty will soon become a respecter of the law which protects him in his rights; in the cultivation of the soil he will learn the value of time and labor, and the comforts they will bring. Thus far advanced, his future is settled, and it is but a short step into the ranks of civilized society and the enjoyment of all its privileges.

WATER THE VEXED QUESTION.

Water for irrigating his farm is the important consideration. Take as an example the Pima and Maricopa reservations, which contain much more than sufficient lands capable of reclamation to agriculture for all the Pima, Maricopa, and Papago Indians. Upon careful examination by experienced engineers it has been determined that for $2,000,000 the flood waters of the Gila River can be impounded by the construction of a dam at what is known as the Buttes sufficient to reclaim 500,000 acres of land. This reservoir could supply all of the land required by these Indians for all time to come. There are more than 500,000 acres of the choicest land in southern Arizona which could be served from this reservoir, which without water is practically valueless. When brought under cultivation the value will range from $25 to $100 per acre.

THE PLAN PROPOSED.

I have no hesitation in suggesting that if the Government will give a bonus of 100,000 acres, more or less, of desert lands which can be served with water from the proposed reservoir, private capital can be secured for the construction of the same, which will furnish abundance of water to reclaim and cultivate all the land required by or for these Indians at a very small yearly water rental, the number of acres secured for the Indians to be in a given ratio to the number of acres given by the Government as a bonus to the owners of the reservoir. This plan will cost the Government practically nothing, as the lands are now valueless.

All of the Papago, Maricopa, and Pima Indians could be supplied with farm homes, and thus given the opportunity of supporting themselves. There would be no more stealing of stock by Indians to enable them to furnish food for their starving families; and in addition to this there would be a large area of land outside of the reservation brought under cultivation through the construction of this reservoir, which, in addition to furnishing homes to hundreds of farmers and increasing the tax resources, would return a large sum to the Government by their sale.

The same policy suggested for aiding these Indians can be applied to other tribes of the Territory, reclaiming lands, and furnishing them with the means to sustain themselves.

Give the Indians the means of self-support, added to the system of ndustrial training of their boys and girls now provided by our Indian schools, and in less than twenty-five years every Indian in the Territory should be self-sustaining and many of them taxpaying citizens.

INDIAN SCHOOLS.

The progress made in their education and industrial training by the Government and mission Indian schools, both on and off the reservations, during the year is a source of gratification to all who are interested in the present and future welfare of the Indians.

The only complaint made is lack of school accommodations. We must have more and larger industrial training schools. There are not less than 4,500 Indian boys and girls who are available for schools, and accommodations for less than 1,500. The good results of these institutions make the demand more urgent. As an illustration, the Presbyterian Mission School at Tucson and the Government school at Phœnix are furnishing the best farm and domestic help in the Territory. During school vacation the pupils seek employment on the farms and in families, and as a rule they are rigidly honest and industrious. During last summer's vacation the Indian boys of the Tucson school furnished all the labor for the grading of the streets of Tucson, each receiving $1 per day. These boys also furnished the fuel consumed at Tucson. The boys of the Phœnix school contributed their time in the harvest field of the valley.

In this connection I feel it my duty to repeat from my last report on this subject:

The policy of furnishing Indians with stock and allotting to them lands in severalty upon which they can establish homes and become individually interested in the cultivation and improvement of the same, is the most practical suggested.

I desire to call particular attention to the importance of encouraging the breaking up of tribal relations, by aiding the younger Indians to take up lands in severalty under the allotment policy.

There are now more than 1,500 Arizona Indian boys and girls in schools under industrial training, many of whom have already a practical knowledge of modern farming. To allow them to return to the reservation after graduating in these schools, to fall into the lazy, worthless habits of the old Indians, is all wrong, for they soon lapse into the prevailing habits of their former associates, and the work of the school is lost.

These young Indians should not be returned to the reservation, but should be set up in business for themselves, so as to become self-supporting, and industrial and taxpaying factors of the Territory.

To carry out this suggestion I would call attention to the fact that the Salt River Indian Reservation, which contains an area of 41,000 acres, is located about 25 miles from the Gila Reservation. Abundance of water can be had for irrigating practically all of the lands. The Gila Bend Reservation, located about 60 miles west of the Gila River Reservation, contains 23,000 acres. There can also be had abundance of water for these lands, of which there are not 20 acres under cultivation.

I would recommend that the lands of these two reservations be set apart for allotment to the young Indians who have been instructed in farming in our Indian industrial schools, who, instead of being returned from school to their old reservations, be given 10 or 20 acres of land thus allotted to them, which would at once put it in their power to become self-sustaining.

The lands of the Gila Bend Reservation are to-day practically valueless, and all save a few acres of the Salt River Reservation is idle. Many of the Indian boys want land to engage in farming for themselves.

This plan is plain, practicable, and easy to accomplish.

RECOMMENDATIONS.

I recommend that measures be taken to compel the Navajo Indians to remain on and keep their stock within the bounds of their reservation, and if they have not sufficient grazing lands, that the reservation be enlarged and the boundaries be plainly designated; that the Government encourage the construction of the Butte reservoir by giving a bonus of lands, to the end that the Pima, Maricopa, and Papago Indians can be furnished with ample water for irrigating sufficient lands to sustain themselves, and in addition to aid in the reclamation of arid lands outside of the boundaries of the reservations—there are precedents for this recommendation, as millions of acres have been granted to aid commerce, and this would be given to aid and encourage agriculture; that the Salt River and the Gila Bend reservations be set apart for allotment at once to Indian graduates of industrial schools; that the

school accommodations for industrial training of Indian boys and girls be greatly enlarged; that, with a view to prompt and efficient prosecution of Indian offenders, in the interest of justice and economy to the Government and the relief of the Territory, the jurisdiction of the trial of Indians be transferred from the Territorial to the United States district courts; that the San Carlos coal fields be segregated from the White Mountain Indian Reservation, and that settlement of title to lands in the vicinity of Tuba City be made, in the interest of harmony between settlers and the Navajo Indians.

PUBLIC EDUCATION.

Twenty-six years ago the Territorial legislature passed the first law providing for the establishment and maintenance of a public school system in Arizona. Since that time each succeeding legislature has added to and amended the law, as our increase in wealth and population demanded, until to-day no State or Territory is working under a broader or more liberal system for the education of her children.

Every educational facility is offered within our own Territory, from the kindergarten to the normal school and the university, and now that the extensive building of railroads within the past two years has united extreme sections of the Territory, that heretofore were isolated by mountain ranges, more thorough organization and systematizing of the schools of the Territory is possible. New schoolhouses are being built where a few years ago the country was considered unfit for the white man. In the valleys of the mountains and on the deserts of a few years ago schoolhouses, with their spires and flags, tell of the conquests that are being made by an intelligent people, and the inspiration ever attendant upon success in new fields of development has given an impetus to education in the Territory that is fast raising her to the plane of her sisters in educational work.

GOVERNMENT.

Our school law is thoroughly democratic. The government of our schools is vested in the Territorial board of education, the Territorial superintendent of public instruction, the county school superintendent, and the district board of trustees. Their respective duties are similar to those of corresponding officials in the States.

REVENUE.

For the maintenace of the schools a tax of 3 cents is levied on each $100 value of taxable property of the Territory, which amount is divided among the counties according to the census population between 6 and 18 years of age. In addition to this, the board of supervisors of each county is required to make a levy annually of not less than 30 nor more than 80 cents on each $100 valuation of taxable property in said county, to which amount is added the amount of poll taxes collected, all moneys accruing to the Territory by the sale of real or personal property of escheated estates, or from the rents or profits of lands or tenements held as escheated, and all moneys arising from fines, forfeitures, and gambling licenses.

The county school money is appropriated to the various districts upon the average attendance.

SCHOOL BUILDINGS.

The people everywhere have exhibited a generous nature in providing suitable school buildings, and with but few exceptions they are well equipped with furniture and apparatus.

TEXT-BOOKS.

A uniform series of text-books and a uniform system of grading have been provided for, thus insuring systematic work in the schools throughout the Territory. The most advanced text-books on all subjects have been adopted.

TEACHERS' DIPLOMAS AND CERTIFICATES.

Life diplomas are issued to teachers who have been successfully engaged in teaching for a period of ten years, at least one year of which was in this Territory on a first-grade certificate, after having passed a successful examination on history of education, pedagogy, school economy, and school government.

Educational diplomas, valid for six years, may be issued, without examination, to teachers who have taught successfully for five years. First-grade Territorial certificates are issued, without examination, to graduates of State universities and chartered colleges, at the discretion of the Territorial board of education.

The Territorial board of examiners issue first and second grade Territorial certificates to those who pass the required examination, and the county board of examiners issue county certificates, first and second grade, to those who in their respective counties pass the county examination. Applicants before both the Territorial and county boards are required to make an average of 85 per cent for a first-grade and of 80 per cent for a second-grade certificate.

Both the Territorial and county boards of examiners are authorized to issue certificates, without examination, to holders of life and State normal school diplomas.

HIGH SCHOOLS.

A system of high schools was provided for by the last legislature. By the provisions of the bill any number of school districts having a joint population of not less than 2,000 people may unite for the support and maintenance of a high school, said high school to be supported by a special levy on the property in the high-school district. The course of study is required to be such as will prepare students for the Territorial university and the normal school.

DEAF, DUMB, AND BLIND.

Pursuant to an act of the eighteenth legislature the board of education has made arrangements with the California Deaf, Dumb, and Blind Institute for the education of the deaf, dumb, and blind of this Territory, at $300 per year per capita. The law applies to all residents of Arizona between the ages of 6 and 18 years.

MILITARY INSTRUCTION IN THE PUBLIC SCHOOLS.

To encourage military instruction in the public schools, a law has been passed authorizing the principal of any school to enroll all able-bodied pupils of the age of 11 years and upward attending school as

members of the American Guard of the Territory of Arizona. The drill shall conform to that prescribed for the National Guard, and the method of election of officers, the uniform, and discipline shall be prescribed by the superintendent of public instruction.

The following figures, submitted by Prof. F. J. Netherton, superintendent of public instruction, show the condition of the schools in the various counties on July 1, 1895, as compared with July 1, 1894:

County.	Number of teachers.		Number of school districts.		Number of boys enrolled.		Number of girls enrolled.		Total enrollment.	
	1894.	1895.	1894.	1895.	1894.	1895.	1894.	1895.	1894.	1895.
Apache	33	17	21	10	603	405	579	346	1,182	751
Cochise	25	26	18	18	543	512	420	430	963	942
Coconino	9	10	6	7	187	198	189	196	376	394
Gila	20	16	17	16	258	223	207	184	465	407
Graham	22	25	21	17	602	678	583	635	1,185	1,313
Maricopa	67	80	42	44	1,643	1,659	1,860	1,529	3,503	3,188
Mohave	12	14	12	13	88	104	106	114	194	218
Navajo (a)	.....	17	.....	14	.....	321	.....	337	.....	658
Pinal	13	14	8	8	274	277	278	252	552	529
Pima	39	40	25	24	960	921	807	748	1,767	1,669
Yavapai	41	47	37	42	400	540	387	510	787	1,050
Yuma	7	8	6	6	170	188	108	143	278	331
Total	288	314	213	219	5,728	6,026	5,524	5,424	11,252	11,450

County.	Number of children of school age at last census.		Average length of term.		Average salary paid to teachers.	
	1894.	1895.	1894.	1895.	1894.	1895.
			Months.	*Months.*		
Apache	1,626	435	5.6	5.1	$71.24	$66.79
Cochise	1,312	1,193	6.7	6.3	80.08	76.42
Coconino	467	.....	6.6	6.8	90.71	85.50
Gila	507	462	5	5.2	64.25	69.66
Graham	2,122	2,244	5.6	6	63.20	56.60
Maricopa	3,797	3,672	6.7	6.5	75.81	70.00
Mohave	277	259	6.8	6.1	73.00	72.67
Navajo (a)	.....	610	.....	5	.....	57.60
Pinal	868	794	6.8	5	80.00	80.00
Pima	3,407	3,521	5.7	6	73.41	69.39
Yavapai	1,238	1,386	6	6	71.00	73.03
Yuma	581	605	6.3	6.6	82.00	82.50
Total	16,202	15,201	6.2	6.7±	74.06	71.68

County.	Number of teachers examined.		Number receiving certificates.		Rate of school tax levied on each $100.	
	1894.	1895.	1894.	1895.	1894.	1895.
					Cents.	*Cents.*
Apache	19	2	8	2	50	70
Cochise	9	14	7	14	50	50
Coconino	7	5	5	4	30	30
Gila	10	7	7	5	65	75
Graham	12	12	12	12	50	50
Maricopa	56	56	35	34	50	45
Mohave	3	2	3	2	50	.....
Navajo (a)	.....	3	.....	1	.....	70
Pinal	3	3	3	3	.....	75
Pima	17	14	10	10	60	60
Yavapai	16	13	16	12	50	50
Yuma	4	2	3	1	55	.....

a Not created till 1895; formerly a part of Apache County.

County.	Total amount paid in salaries.		Total amount expended—all sources.		Valuation of school property.	
	1894.	1895.	1894.	1895.	1894.	1895.
Apache	$12,185.50	$6,040.00	$14,950.61	$7,476.02	$11,682.00	$9,945.00
Cochise	14,119.00	13,832.89	17,529.30	18,032.60	29,192.00	20,299.00
Coconino	5,551.47	6,785.00	7,168.02	23,586.37	20,535.00	30,165.00
Gila	6,720.00	5,446.97	7,824.85	6,101.32	3,875.00	4,245.00
Graham	8,116.28	8,782.98	10,181.45	11,183.63	13,255.00	13,600.90
Maricopa	34,689.16	32,799.50	45,023.72	47,371.96	168,098.00	178,400.00
Mohave	5,899.52	6,065.83	7,614.33	8,063.25	5,175.00	4,817.00
Navajo (a)	.....	6,120.00	.....	11,887.94	.....	2,211.30
Pinal	7,403.75	6,078.75	9,171.61	9,326.90	20,290.50	20,290.50
Pima	20,374.75	18,263.40	25,300.45	23,944.54	75,848.82	75,848.82
Yavapai	19,382.55	22,031.05	24,855.98	26,045.48	49,495.00	48,655.00
Yuma	4,104.50	5,045.00	6,419.70	8,337.88	11,000.00	11,000.00
Total	138,546.48	137,291.37	176,040.02	201,357.89	405,446.32	415,132.02

a Not created till 1895; formerly a part of Apache County.

SUMMARY.

While these figures show that there are fewer children of school age in the Territory this year than there were last year, this is probably due to the fact that census marshals were not as accurate in their work as formerly, as under the new law most of the school money is apportioned on the average attendance instead of upon the school population, and while the total school population is reported as less than last year the enrollment in the schools is 202 in excess of what it ever was before. The average salary paid to teachers this year was $71.68, as compared with $74.06 in 1894.

The total amount expended in maintaining the schools during this year aggregates $201,351.89, an excess over last year of $25,317.87. The average school term, however, was lengthened five-tenths of a month, and twenty-six extra teachers were employed. The valuation of school property is $415,132.02, an increase of $9,686.70.

SECTARIAN SCHOOLS.

Sectarian schools are maintained by the Methodist Episcopal Church South, the Catholics, and the Mormons. The total enrollment in these institutions will not exceed 700, however. The cost of their maintenance is from $7,500 to $10,000 annually.

UNIVERSITY OF ARIZONA.

The University of Arizona, established at Tucson in 1885, has been in continuous operation since October, 1891, and graduated its first class this year.

The institution is well equipped with all necessary apparatus for scientific, mining, agricultural, and chemical investigations, and has a corps of professors well qualified along their respective lines.

The last legislature made a levy of one-fourth of a mill on the taxable property of the Territory for each of the years of 1895 and 1896 for the purpose of erecting a university dormitory. The building will be ready for use January 1 next. The accommodations will be of inestimable value to the institution, as it will reduce the living expenses of the students to actual cost—about $15 per month.

In the School of Mines and the Agricultural Experiment Station, each with its director and staff, much valuable practical investigation

is carried on for the benefit of the people, in addition to the training afforded those who are preparing to engage in these pursuits.

SCHOOL OF MINES.

The results of this institution are being rapidly demonstrated. Situated in the heart of a rich mineral region, the students acquire a practical knowledge seldom obtained in similar schools in other portions of the country. All classes of ores and minerals are received, tested, and analyzed, and the various processes for the reduction of the same determined. The students also visit the mines in the surrounding districts and become acquainted with the applied principles of mining in all its branches. The mining interests of the Territory receive much benefit from the tests thus made. The most successful methods of treatment and the practical results are determined, so that mills and reduction plants are not being placed on mines before the kind of machinery necessary for the treatment of the particular class of ore is tested. Large fortunes have been recklessly spent in the erection of plants in which ore could not be properly treated. This is a thing of the past in the mining industry of Arizona. The School of Mines has n a measure brought about the change.

EXPERIMENT STATIONS.

The work of the experiment stations has been pushed with more than ordinary vigor during the past year, and the bulletins issued by the various departments contain much valuable information for the people of the Territory. Special attention is given to irrigation and water supply, as well as to agriculture, horticulture, and chemistry. The analyses of the soil and water of the different agricultural and horticultural districts give to the farmers scientific information as to what the soil will or will not produce successfully. These investigations are of incalculable value.

The study of plant life peculiar to the Territory and the uses of the respective species is also proving of much advantage.

The outlook is very encouraging for a greatly increased attendance this fall from all sections of the Territory. There is also another quarter from which the university is destined to draw a considerable number of students. As soon as it becomes known throughout the Northern and Eastern States that an institution in this unparalleled winter climate is to be found which is capable of giving the young an education in nothing inferior to that which may be obtained in many older and more widely known colleges and universities, we shall draw very widely from that class which is pursuing its studies in rigorous climates, to the great disadvantage of comfort and health.

NORMAL SCHOOL.

The normal school, located at Tempe, opened in September with about 100 students, the largest attendance since its organization.

The building fund created by the seventeenth legislature was doubled by the eighteenth, and the new structure now in process of erection will be the finest and best equipped public building in the Territory when completed.

The estimated cost of the building is $46,500. The course of study pursued will compare favorably with courses of study in similar institutions in the States.

REFORM SCHOOL.

The reform school building at Flagstaff is nearing completion, and is a creditable structure. The location is a desirable one, on account of the climatic conditions. A school farm of 130 acres lies adjacent to the building.

THE CHURCHES.

While Arizona's ratio of churches and adherents thereto does not compare with those of older settled communities, it must not be forgotten that it is but a few years since this Territory was under the control of the Indian, and that a large part of the population has but recently come and established homes, and that in a measure the population is not yet molded and fixed to their new conditions; yet notwithstanding all this our church interests are making encouraging progress. There are more than one hundred church edifices and several denominational, educational, and other institutions, which evidences the fact that our people have brought with them from their homes the teachings and religious convictions of their fathers.

The strength of the various religious organizations is as follows:

Methodist Episcopal Church.—Fifteen preachers, 750 members, 1,400 Sunday-school children, 15 churches; value of churches, $75,000; 8 parsonages, valued at $16,100; value of school property, $20,000; total value of property, $95,000.

Episcopal Church.—Five ministers, 879 adherents, 225 communicants, 152 Sunday-school children, 6 church buildings; value of church property, $27,875.

Methodist Episcopal Church South.—Seven ministers, 520 members, 520 Sunday-school children (increase of 126 for year), 6 churches; value of church property, $22,500; 5 parsonages, valued at $8,000; 2 Mexican missions—members, 115; value of church property, $3,200.

Presbyterian Church.—Ten ministers, 550 communal members (an increase of 90 for year); Sunday-school membership, 970; value of church property, including Indian mission-school building, $57,000.

Congregational Church.—Communicants, 213; Sunday schools, 8; membership, 300; number of Young People's Christian Endeavor societies, 4, with a membership of 99; total valuation of church property, $15,000; home expenditure for 1894, $3,210.

Baptist Church.—Ministers, 4; adherents, 635; communal membership, 275; Sunday-school children, 266; churches, 5; value of church property, $27,875.

Christian Church.—Three ministers; 160 members; 2 churches; value of church property, $4,500.

Catholic Church.—A presiding bishop; 17 resident priests; 10 chapels. The membership and the value of its property is greater than that of all the other churches combined. This includes four hospitals, two orphanages, and other charitable institutions under control of the church.

Mormon Church.—Ministers, 49; membership, 7,240; Sunday-school pupils, 2,601; churches, 34; value of church property, $36,500

FRATERNAL SOCIETIES.

The leading fraternal societies are well represented. Their strength and rapid growth attest the good feeling which obtains among our people. These societies are strong factors in promoting law and order. Their beneficiary features excite a strong spirit of mutual dependence among their members, and in all things strengthen and make better the communities in which they exist. This is especially noticeable in Arizona.

The following are the societies in the Territory which show an increased membership during the year:

Masonic.—Grand lodge, 11 subordinate lodges; total membership, 513. Grand Chapter Royal Arch Masons, 4 subordinate chapters; total membership, 187. Grand Commandery Knights Templar, 3 subordinate commanderies; total membership, 116. Scottish Rite, Santa Rita Lodge of Perfection, No. 1, with a membership of 35.

Knights of Pythias.—Grand lodge, 12 subordinate lodges; membership 637, an increase of 82 during the year.

Odd Fellows.—Grand lodge, 15 subordinate lodges; total membership, 639.

Ancient Order United Workmen.—Grand lodge, 14 subordinate lodges; total membership, 1,000.

Grand Army of the Republic posts.—Total membership, 332.

Independent Order of Good Templars.—Grand lodge, 22 subordinate lodges; total membership, 950.

Railway employees' societies.—Brotherhood of Locomotive Engineers, total membership, 209; Brotherhood of Locomotive Firemen, total membership, estimated, 210; Order of Railway Conductors, 80; Brotherhood of Railway Trainmen, 235; Order Railway Mechanics, 56.

The Woman's Christian Temperance Union is organized in all of the principal settlements.

THE LIQUOR TRAFFIC

From the report of C. M. Shannon, internal-revenue collector of the district of Arizona and New Mexico, it appears that there are in the Territory 635 saloons, 7 wholesale liquor houses, and 18 wholesale and retail malt dealers, which paid a revenue of $16,294.62 to the United States for the year. This statement shows a reduction during the last twelve months of 37 saloons, and 3 wholesale liquor houses.

It also appears from the financial statement of the Territorial treasurer that the Territory has not had to face a deficit of from $30,000 to $50,000 as in the years previous to 1894, but that its expenditure has been less than its income to the amount of $50,485.79, in which amount the public debt has been decreased. This is significant, and furnishes food for reflection.

The average number of inmates of the Territorial insane asylum for the year is 106, and the average number of the inmates of the Territorial prison was 180. Superintendent Gates, of the prison, states that "the statistics of the prison show that fully three-fourths of the inmates are confined as the result of intemperance."

It is also shown that more than one-half of the inmates of the insane asylum are the victims of strong drink. Hence it appears that 75 per cent of the cost of the Territorial prison and 50 per cent of the cost of the insane asylum comes from strong drink. The cost of maintaining *these two institutions* is the largest part of the Territorial expense.

A conservative estimate shows that over 60 per cent of the cost of maintaining the government of each county in the Territory comes directly or indirectly from the liquor traffic.

It is also a noticeable fact that a large number of the criminal cases in the United States courts of the Territory are from the selling of liquor to Indians, which is a great source of expense to the Federal Government. E. E. Ellingwood, United States district attorney for Arizona, says:

There were terminated during the fiscal year 1895, 95 criminal cases. Of these 30 were old cases dismissed, and of those tried there were 53 convictions and 12 acquittals. July 1 there were pending 38 cases, new and old, most of the cases being for the selling of liquor to Indians and smuggling.

It appears that the cost of the United States criminal courts in this Territory arises principally from the selling of whisky to Indians and smuggling in mescal, a Mexican intoxicating drink. Hence it appears that the cost of Territorial and Federal courts arises principally from strong drink, and in the latter in its sale to Indians. This is another significant fact.

The Indians have been conquered, a generous Government is training them to industry with a view to making them self-sustaining, thus civilizing them and relieving the Government from maintaining them in idleness. No one thing is such a threatening menace to their progress toward civilization and independent tax-paying citizens as strong drink. Their war spirit is subdued, but whisky will revive it or sink them to the lowest depth of vagabondage, and this at a great cost to the Territory and the Federal Government.

Hence it appears that a large majority of the criminal cases of the United States courts in the Territory and the greater part of the expense to the Federal Government for maintaining the courts comes from the traffic in strong drink. It is also a fact that while whisky was the direct cause of Indian wars in the past in this Territory, now, with the Indians subdued, it is the most threatening menace to their civilization; and when it is considered that there are 37,000 Indians in this Territory, the danger of the liquor traffic to both the Indians and the whites can be partially realized. How shall this great danger, this heavy burden, this ever-threatening evil be checked, curtailed, or removed?

The Federal Government terminated the Indian wars of Arizona by banishing the criminal element of the Indians from the Territory. The Federal Government has from time to time quarantined against yellow fever, black smallpox, and other contagious diseases from entering this Territory. It has the power and the jurisdiction to remove this drink evil from the Territory by simply enacting a law prohibiting its manufacture or sale within our borders. Public sentiment throughout the land is at high tide moving against this great evil, which is undermining the very life of our country. The Federal Government can test to the satisfaction of the people whether "prohibition does prohibit" by raising its strong hand, and declaring a quarantine against this evil in the Territory.

Will Congress concede this much to the great army of good citizens of the land, the pioneer mothers of Arizona, who are pleading for the protection of their boys?

It has passed laws prohibiting the sale of liquor to Indians in the Territories. Why not make this law general to all the inhabitants of the Territories? And the Indian wards of the Government will then be absolutely protected against the traffic, the only result of which is destruction.

TERRITORIAL PRISON.

For many years the maintenance of the Territorial prison has been a grievous burden to the people. There appeared to be no practical means for the employment of the convicts, and they were maintained in idleness. The prison with no income was a constant drain on the treasury. To bring about a reform in the methods of this, as well as other public institutions, was my first consideration, and convicts were all required to work a given number of hours daily. Thus the buildings and premises were improved by this labor. Congress during its last term, as per recommendation in my annual report for 1893, ceded 2,500 acres of land adjacent to the prison to the Territory for a convict farm, which is being put under cultivation. The result of these efforts will be observed from the following comparison:

The average cost per capita per day for maintaining the prison was—

	Cents.
For the year ended June 30, 1892	96.5
For the year ended June 30, 1893	93.95
For the year ended June 30, 1894	88
For the year ended June 30, 1895	72

It will be observed there has been a constant decrease in the cost of this institution, although there has been an increase of inmates. There has been a reduction of $10,754.60 in the gross expenditures for the years 1894 and 1895, as compared with 1892 and 1893. This, with the amount received from the United States for the maintenance of Indian prisoners at this institution—$16,886.93 (which by act of the legislature has been placed to the credit of the prison)—makes a total gain to the institution for the past year of $27,641.53.

The improvements made on the prison buildings and farm, estimating the value of the labor employed at prevailing rates of wages paid for labor, amount to $8,000.

Of the prison farm 80 acres have been cleared, fenced, and put under cultivation, which will in the future produce an abundance of vegetables for the prison and a surplus for the markets. It is the purpose as rapidly as possible to put 2,000 acres under cultivation, from which will be furnished all the beef and pork as well as vegetables for the inmates of the prison; and, as the farm is located in an almost frostless belt, vegetables of all kinds, which will be sold in the Eastern markets, can be successfully raised during every month of the winter season. This proposition is plain and practicable, and, with a large number of the inmates of the prison constantly employed, it is confidently believed it will result in making the institution more than self-sustaining, and the tilling of the soil will do much toward making better men of the unfortunate convicts and in preparing them for their liberty and restoration to society.

During the year there were received 192 prisoners, and 154 were discharged. Superintendent Gates states that "the statistics of the prison show that fully three-fourths of the inmates are confined as the result of intemperance."

PAROLING PRISONERS.

One of the most salutary laws passed by the last legislature was the parole law, which confers upon the governor the power to parole inmates of the Territorial prison, the governor to fix conditions of the *parole.* Under this law several convicts are outside of the prison *walls.* Among other rules or terms of parole established are that the

paroled shall abstain from the use of all intoxicating drinks, shall render service to the Territory at some of its public institutions equivalent to the cost of his maintenance in the prison; value of the labor, if any, performed by them within the prison walls to be deducted. Thus the Territory is reimbursed in part for the cost of maintaining its inmates.

Should the paroled be serving sentence for larceny, then he must, in addition to reimbursing the Territory, first reimburse the party wronged in the value of the property taken, if within the range of his ability to do so. The violation of any of the terms of his parole subjects him to re-arrest and return to the prison the same as if he were an escaped prisoner.

Thus far the system is giving the most satisfactory results. But one of the paroled has been returned. On the very day of his parole he indulged in strong drink, and was immediately returned to the prison, which has proved a most salutary lesson. All others on parole are sober and industrious, and their conduct is highly satisfactory. I am persuaded the parole system will prove an important factor in practical prison reform, and many of the inmates of our penitentiary can and will be restored to society as good, industrious citizens.

INSANE ASYLUM.

The improvements made in the treatment, care, and the general comfort of the unfortunate inmates of our insane asylum, and at a much less cost to the Territory, is a matter worthy of notice. The building has been put in excellent repair and additions made which add much to the comfort of the inmates. On assuming office I was convinced from observation that a specialist should be placed in charge of this institution. That the most experienced professional service which could be had for the salary provided should be secured, I appointed a physician experienced in nervous diseases, who has for twelve years been constantly employed in an asylum for the insane, instead of making a local political appointment, as had been the custom, and the result has been very encouraging. The most advanced, enlightened, and modern treatment of the insane was introduced. All of the patients are allowed the liberty of the grounds, which comprise 160 acres of orchard, farm, etc., part of each day. Many of these are given light work on the farm and about the premises, which has converted the institution into more of a home than an asylum, resulting in much more comfort to all and proving an important factor in reducing the cost of maintaining the institution, as will be seen from the following statement:

Amount expended for the maintenance of the asylum from June 1, 1891, to June 1, 1892	$29,223.84	
Amount expended from June 1, 1892, to June 1, 1893	28,712.34	
Total expended for the biennial period		$57,936.18
Amount expended for the maintenance of the asylum from June 1, 1893, to June 1, 1894	25,649.54	
Amount expended from June 1, 1894, to June 1, 1895	25,355.14	
Total expended for the biennial period		51,004.68
Deduct amount expended for permanent improvements during biennial period ending June 30, 1895		3,965.30
Making the running expense of the asylum for the biennial period, less amount expended for improvements		47,039.38
Saving over the *preceding biennial period*		10,896.80

The daily population for the biennial period ending May 31, 1893, was 74, and for the period ending May 31, 1895, 106; an increase of 32. Notwithstanding this increase in population, a saving of $10,896.80 has been effected, which, added to the improved service and the comfort of the inmates, is certainly most gratifying.

THE PRESS.

There are nine daily journals, twenty three weekly, and three monthly publications established in the Territory. Politically, five dailies are Democratic and four Republican; thirteen of the weeklies are Democratic, eight Republican, and two independent. There are two monthly educational journals and an illustrated monthly, The Arizona Press, which is ably edited, strong in its advocacy of men and measures, pronounced on all questions of public concern, and loyal to the Territory and its every interest, and receives a cordial support from the people.

THE PROFESSIONS.

LEGAL.

The profession of law is well and ably represented in the Territory. Important and profitable litigation, affecting mining and irrigation interests and land-grant titles, has established a number of the ablest lawyers in the country in Arizona. There are at present 139 practicing attorneys in the Territory. There is a bar association organized and well sustained.

MEDICAL.

Although Arizona is accepted as remarkable for its health restoring and preserving conditions, there are 102 regular and 10 homeopathic physicians practicing in the Territory, located in the various settlements. They find a profitable business from the large number of health prospectors who come here for restoration to health. The standard of the profession is high, as there are strict laws prohibiting the practice by other than regular graduates. There is an organized medical association.

DENTISTRY.

There are thirty-nine registered dentists, and a board of registration in dentistry, organized under the laws of the Territory. None but regular graduates of dental colleges or those who have been practicing for ten years are eligible as members of the board of registration, and it is unlawful for anyone to practice dentistry who has not received a license from the board of examiners.

A NATIONAL SUMMER SCHOOL OF SCIENCE.

I deem it my duty to call the attention of your Department to a wonderful cluster of unparalleled natural phenomena located in northern Arizona. Within a small radius are located the Grand Canyon, over 7,000 feet deep; the San Francisco Mountain, 13,000 feet high; groups of extinct volcanoes, Montezuma's Well, and the petrified forests. Added to these are the cliff and cave dwellings and other strik-

ing evidences of a prehistoric race, making this point of much interest to scientists. The San Francisco Mountain is said to present every formation known to geologists, and from crest to base are found the flora of six distinct zones, neither of which phenomena, it is declared, is known to exist at any other place on the earth's surface. This section, the altitude of which ranges from 6,000 to 7,000 feet, is covered with pine forests, making a most delightful summer retreat. Many scientists from not only the United States but from the Continent of Europe visit this region to study these natural wonders.

Arrangements are now in progress to establish a summer educational resort for not only the benefit of our people but of the adjoining States and Territories; also with the hope that the Federal Government will be led to feel the importance of establishing a national summer school of science for the benefit of the scientific world.

I recommend that the feasibility of the establishment of such an institution be considered by the Government.

PATRIOTISM.

Our people are devoted to their country and exhibit fidelity to its principles. The revered customs of commemorating achievements for principle, and of giving public expression of gratitude for benefits received, are manifested in the general observance of days set apart for these purposes.

The flag of our country floats from our public schoolhouses, planting in the minds of our boys and girls its patriotic inspirations.

During the year I issued the following public proclamations:

THANKSGIVING PROCLAMATION.

TERRITORY OF ARIZONA, EXECUTIVE DEPARTMENT,
Phœnix, Sunday, November 11, 1894.

To the people of the Territory of Arizona, greeting:

Recognizing the manifold blessings of a kind Providence during the past year, and in accordance with a revered custom of the American people and in conformity with the proclamation of the President of the United States, I do hereby appoint Thursday, November 29, 1894, a day of Thanksgiving and prayer, to be observed by the people throughout the Territory.

Truly, the hearts of patriots ought to be filled with gratitude and thanksgiving when we consider the outcome of the threatening events of the past year, which demonstrate that the principles of our Government, when in the keeping of wise and courageous hands, are sufficient to meet and overcome the greatest dangers which may menace the integrity or perpetuity of the Republic.

Since the people of our Territory have been especially favored with more than ordinary peace, plenty, and prosperity, and the absence of want and distress in its many forms, let us with grateful hearts cease from all business pursuits on that day, and with one accord "give thanks unto the Lord for His merciful kindness to the children of men."

In testimony whereof I have hereunto set my hand and caused to be affixed the great seal of the Territory.

Done at Phœnix, the capital, the 11th day of November, in the year of our Lord 1894, and of our American Independence the 118th.

[SEAL.] LOUIS C. HUGHES.

By the governor:
CHARLES M. BRUCE,
Secretary of the Territory.

ARBOR DAY PROCLAMATION.

TERRITORY OF ARIZONA, EXECUTIVE OFFICE.

To the people of Arizona, greeting:

The laws of Arizona provide "the Friday following the first day of February in each year shall hereafter be known throughout the Territory of Arizona as Arbor Day, and shall be observed as a holiday," and that it shall be the duty of the governor to make public proclamation of the same.

That the boys and girls of Arizona may learn to love trees, shrubs, and flowers, and to appreciate the great utility and the many useful lessons which may be gathered therefrom, I, Louis C. Hughes, governor of Arizona, in pursuance of law, do hereby earnestly recommend that Arizona's Arbor Day, Friday, February 8, 1895, be recognized by the people as a holiday, and that it be observed throughout the Territory in the promotion of forest and orchard growth and by the planting of useful and ornamental trees, shrubs, vines, and flowers for the adornment of our school grounds, streets, parks, cemeteries, and homes.

And to the end that the children of our public schools shall assist in this work, it is made the duty of the uthorities of every public school in the Territory, so far as may be practicable, to observe the day by such exercises and ceremonies as shall tend to encourage the planting, protection, and preservation of trees and shrubs and make the children acquainted with the best methods of accomplishing such results, and which will encourage the formation of habits and tastes that will develop for the future a healthy and liberal public sentiment in the Territory, or coming State, on the subject for which Arbor Day stands.

Done at Phœnix, the capital, this 2d day of February, 1895.

[SEAL.] LOUIS C. HUGHES,
Governor.

Attest:
CHARLES M. BRUCE,
Secretary of the Territory

MEMORIAL DAY PROCLAMATION.

TERRITORY OF ARIZONA, EXECUTIVE OFFICE.

For more than a quarter of a century it has been the custom of our people to observe May 30 as Memorial Day, and in harmony therewith national and Territorial legislation has established this as a public holiday, dedicated to the memory of those who wrought out through the wager of battle the principles that all men are born free; that the States are members of an indestructible Union, and that this Republic shall not perish from the earth.

This should be a day of patriotic sentiment and love of country, a day which will be the oil of gladness to the wounds caused by the terrible conflict; and if there be those who would keep alive acrimonies engendered by the war, let our invocation be "Father, forgive them, for they know not what they do."

May all minds be inspired and all hearts pulsate with sentiments of reconciliation and love.

No more shall the war cry sever
Or the winding rivers be red,
They banish our anger forever
When they laurel the graves of our dead.

Under the sod and the dew,
Waiting the judgment day,
Love and tears for the Blue,
Tears and love for the Gray.

Now, therefore, I, Louis C. Hughes, governor of the Territory of Arizona, in view of the day and its purposes, do hereby recommend that the people observe the same in a befitting manner, joining with the surviving members of the Grand Army of the Republic in their memorial service and in strewing flowers on the graves of their departed comrades, thus encouraging reflection on the duties of patriots in time of the country's peril and animate the spirit of charity and reconciliation in time of peace, that every section of our Republic may be "one and inseparable."

Done at Phœnix, the capital, this 15th day of May, in the year of our Lord 1895.

LOUIS C. HUGHES.

By the governor:
C. M. BRUCE,
Secretary of Arizona.

LABOR DAY PROCLAMATION.

TERRITORY OF ARIZONA, EXECUTIVE DEPARTMENT.

By an act of Congress approved June 28, 1894, the first Monday in September, being the second day of the month, is designated as a legal holiday, to be known as Labor Day.

As labor is the mainspring of civilization, wealth, and happiness, and its conquests nowhere so striking as in the development and building up of our Republic, the wisdom of the law recognizing labor is not only apparent, but when applied to the people of our Territory, who are struggling to develop its various resources and industries and laboring to establish homes in a new region, is highly appropriate. Among our courageous, busy, industrious population there are few drones, few who can not justly be classed as laborers—the merchant, the miner, the mechanic, the lawyer, the farmer, the teacher, the clerk, the divine, the banker, and the laborer; and while many earn their bread by the sweat of their face and others by the sweat of their brain, all are no less toilers.

A general observance of the day so wisely set apart by Congress will serve to promote a higher appreciation of labor and the part it is taking in the development and carrying on of our industries, for the upbuilding of which all are so earnestly striving. This day should bring labor into a closer relation with other interests, and cultivate the principles of cooperation between capital and labor, and thus encourage and establish a wholesome feeling, with a view to more harmonious relations among all the people.

Now, therefore, I, Louis C. Hughes, governor of the Territory of Arizona, do hereby recommend and request that all shops, offices, manufacturing and commercial industries, and other places where labor is employed, suspend operation on that day, that all may have an opportunity to observe the day in a manner befitting the spirit which gave it birth; a day which to future generations will become as suggestive and inspiring as the religious and patriotic holidays which our people so loyally and religiously observe.

Done at Phœnix, the capital, this 15th day of August, A. D. 1895.

[SEAL.] LOUIS C. HUGHES,
Governor.

CHARLES M. BRUCE,
Secretary of Arizona.

MILITIA.

The aggregate strength of the National Guard of Arizona, December 31, 1893, was 410; December 31, 1894, 503, showing a gain during the year of 93.

The guard consists of ten companies, comprising the First Regiment of infantry and regimental band. The adjutant-general recommends that the present infantry regiment be strengthened to twelve companies, and that at least three companies of cavalry and one light battery of artillery be added to the guard, which will give our young men an opportunity to educate themselves in three different branches of the military service. To this end it is urged that the apportionment of the appropriation made by the National Government for States and Territories for the purpose of providing arms and clothing for the guard be increased, so far as Arizona Territory is concerned, from $2,000 to $4,000 annually. At $4,000 a year it will take several years to equip the guard properly for active service.

The money value of clothing, camp and garrison equipage, and ordnance stores received from the War Department since the organization of the National Guard is about $12,000.

The importance of strengthening the National Guard of Arizona may be appreciated when it is known that the southern border of the Territory rests on a foreign country and there are a number of semicivilized tribes quartered on reservations within our borders, and the fact that the National Government is gradually withdrawing its regular troops from the Territory.

For these and kindred *reasons I* recommend an increased appropriation *on behalf of this branch of* the service.

CLIMATE.

The climate of Arizona can be likened to no other climate in the world. It most nearly resembles that of Persia than any known country. From the summit of the San Francisco mountains, near Flagstaff, to the orange and olive groves of the Salt River Valley, every gradation of climate known to man can be found. In winter the traveler can transport himself from Arctic snow and ice within a few hours to valleys teeming with fruits and flowers more beautiful than the groves of Daphne.

In summer he can in the same short time transport himself from the heated air that surrounds the groves of the orange, the olive, and the lime to elevated plateaus studded with the spruce and the pine, whose sylvan aisles are as cool and fair as those of far Cathay. Arizona, stripped of all but her magnificent climate, would still command the admiration of the world.

METEOROLOGICAL.

The table herewith shows the average weather conditions that prevailed during the year ending June 30, 1895. The data are deduced by William Burrows, observer of the United States Weather Bureau Service, from the records of an average of 53 stations reporting to the central office of the Arizona weather service, at Phœnix. The geographic distribution of stations is as follows: Four in Apache County, 10 in Cochise, 2 in Coconino, 3 in Gila, 3 in Graham, 6 in Maricopa, 1 in Mohave, 7 in Pima, 7 in Pinal, 4 in Yavapai, 3 in Yuma, and 3 in Navajo. It will thus be seen that each county is represented with data from one or more stations.

Month.	Temperature.							Average rainfall.	Number of days.			
	Mean.	Maximum.	Date.	Minimum.	Date.	Mean maximum.	Mean minimum.		Clear.	Fair.	Cloudy.	With rain.
1894.												
July	82.5	118	25	45	11, 9, 26	97.2	67.5	1.54	10	15	6	7
August	79.1	116	23	48	28–30	92.9	66.9	2.73	8	14	9	10
September	73.2	109	21	25	28	89	57.5	.69	19	7	4	3
October	66.6	107	4	16	1	82.1	49.4	.97	22	5	4	3
November	57.9	95	8	13	17	75.2	39.3	0.	26	3	1	0
December	49.3	85	1	6	11	61.7	37.5	2.31	7	10	14	8
1895.												
January	45.2	83	11, 25, 28	13	26	56.4	33.2	2.49	14	8	9	6
February	47.7	90	.....	15	16	62.8	33.3	.35	18	6	4	2
March	55.1	100	26	13	16	71.1	37.6	.09	18	8	5	1
April	63.6	105	19	13	6	82	43.6	.08	23	4	3	1
May	72.9	112	7	28	28	86.5	53.7	.28	19	8	4	2
June	79	114	25	31	1	94.1	59	.10	18	8	4	1
Mean for year	64.3	.....	.....	.....	.....	79.2	48.3	.97	17	8	5	4

Temperature.—Average for the year, 64.3°. The highest temperature recorded was 118°, at Parker, Yuma County, on July 25; the lowest was 15° below zero, at Keams Canyon, Navajo County, on the 16th of February, 1895. The warmest month was July, with an average temperature of 82.3°; the coldest was January, with an average of 45.2°.

Precipitation.—Average of all stations reporting, 0.97 inch, which is about 0.04 inch short of the normal, as deduced from records for a number of years. The month

showing the greatest average measurements for all stations was August, with 2.73 inches.

The prevailing character of weather is shown in the table under heading "Number of days"—202 days were reported clear, 96 partly cloudy, and 67 principally cloudy. The average number of days with a measurable amount of rain in each month was 4.

The prevailing winds of the year were from the southwest.

COLORADO RIVER.

The improvement of the Colorado River was urged in my two previous annual reports and the reasons and the importance of the same set forth. This river is 1,800 miles in length, and only second in importance west of the Rocky Mountains. It has been navigated by light-draft steamers since 1852, and at high water from its mouth to the Rio Virgin, a distance of 640 miles, and at all seasons of the year to Fort Mohave (465 miles), but with difficulty, which could be remedied at a reasonable outlay.

Those capable of passing an accurate judgment on this subject declare there is no river of importance in the United States which can be so much improved with so little assistance from the Government as the Colorado. Neither is there a stream the improvement of which will open navigation through such a storehouse of boundless wealth. From Yuma up to the Grand Canyon the stream flows through a rich mineral region of gold, silver, copper, and lead, and through large areas of agricultural land tributary to its banks. These are being reclaimed, and when made easy of access will become the homes of thousands of families.

The opening up of transportation facilities to farmers and miners of western Arizona and southeastern Nevada and California would create a most profitable commerce and develop a vast amount of wealth which to-day can not be utilized for want of transportation.

Further, the improvement of this river would open a permanent and direct communication between the Southern Pacific and the Atlantic and Pacific Railroad, thus uniting northern and southern Arizona by a transportation line which will at once bring about an exchange of products and create a large amount of traffic for these lines. With this river opened to the Gulf of California, which could be done at a comparatively reasonable expenditure, ocean steamers could be landed at Yuma during the entire year, and thus a most important shipping point and mart of trade communicating with all parts of the world by water would be established in Arizona. The value of this to the United States would be exceedingly important from many points of view, while to Arizona it would be of great benefit in furnishing cheap transportation for our imports, lumber, machinery, and other building and mining supplies, as well as in enabling us to export our surplus of grain, cattle, and rebellious ores to foreign markets. In view of these facts, I would earnestly urge a liberal appropriation for the improvement of the Colorado River.

CHALCEDONY PARK.

I must again call attention to the petrified forests, or Chalcedony Park, located in the northeastern part of Arizona, which covers an area of 10,000 acres and consists of trunks and limbs of trees 6 feet and less in diameter, and when polished shows a variety and beauty of colors unexcelled. Curiosity prospectors are destroying the huge pet-

rified logs by blasting them in search of crystals, which are sometimes found in their centers.

The park is annually visited by scientists and travelers from different parts of the civilized world. Such an interesting natural phenomenon should be protected from destruction, that future generations may have an opportunity of learning of one of nature's rarest works.

The last Territorial legislature adopted a memorial to Congress asking that Chalcedony Park be set aside and formed into a national park, under charge of the General Government, for the enjoyment and education of the people, and thus preserve for future generations one of nature's most interesting wonders.

THE NATIONAL IRRIGATION CONGRESS.

The Fifth National Irrigation Congress will be held next year in Phœnix, Ariz., to which are tributary the construction of the largest and most extensive reservoirs and aqueduct systems on this continent, hundreds of miles of canals, and tens of thousands of acres of orchards and fields developed from the desert, illustrating what can be done by irrigation.

This irrigation congress is engaged in a national work in discovering the most practical and economical means of reclaiming the desert places of the public domain, thus creating a demand for immigration and investment, which is resulting in the sale and occupation of public lands. I recommend that the Interior Department appoint delegates to this congress, and that a moderate appropriation be made to cover the expenses for the holding of the same, as the Government will be a beneficiary in the sale of public lands as one result of the convening of the said congress.

POSTAL FACILITIES.

The postal service of Arizona is good, with perhaps a single exception. At present all mails of southern and northern Arizona are carried via Deming, Albuquerque, N. Mex., and Los Angeles, Cal., requiring from twenty-four to forty-eight hours to reach points of distribution. These same mails could be delivered from all points on the lines of the Southern Pacific, if carried by the Maricopa and Phœnix and the Santa Fe, Prescott and Phœnix railroads, in from ten to twenty-six hours less, as these roads run directly north and south through the most densely settled part of the Territory, connecting with both the Southern Pacific and Atlantic and Pacific roads.

I recommend that arrangements be made to add to our otherwise efficient postal service the benefits of time saved by this new line of railroad between the southern and northern sections of the Territory.

LEGISLATION.

The eighteenth legislative assembly of the Territory convened January 22 last. The following message was delivered:

GOVERNOR'S MESSAGE.

Fellow-citizens of the council and house of representatives of the eighteenth legislative assembly:

I congratulate the people of Arizona for the blessing of health, for more than average prosperity, and for the general advancement of all moral, social, and material interests during the past two years. While clouds of doubt and despair have

been overshadowing the land, financial distress and ominous threatenings challenging the confidence of the commercial world, especially during the past year, we have been vouchsafed exemption therefrom. Surely our people will join with us in a feeling of gratitude to Him who guides and controls human affairs.

The organic law of Arizona provides that the legislative power of the Territory shall be vested in the governor and legislative assembly, and that the legislative assembly shall consist of a council and house of representatives.

Your honorable body being organized for the transaction of business, it becomes the duty of the governor under the law to inform you by message of the condition of the Territory, and to recommend such measures as he shall deem expedient.

Before entering upon this duty, I take pleasure in expressing my sincere belief that the eighteenth legislative assembly is comprised of a body of citizens in whose keeping the best interests of the Territory are safe.

For information concerning the Territory and its condition during the last two years, I would respectfully refer you to my annual reports to the Secretary of the Interior for the years 1893 and 1894, in which I have set forth in detail the financial, mining, agricultural, stock, commercial, transportation, and other industrial interests, as well as the educational, social, and moral progress of the Territory; also a series of recommendations touching the Indians, arid lands, their irrigation, and kindred subjects.

ECONOMY AND RETRENCHMENTS.

All political parties are pledged to retrenchment and economy in the administration of public affairs and in the reduction of taxation. You have now the opportunity to make good this pledge. You are no doubt willing to keep good faith with your constituents. How can this be accomplished? Abolish all offices not absolutely necessary; consolidate some of those which are necessary; reduce salaries and make them in harmony with services rendered, measured by the amount paid for like services by corporations and first-class business concerns; remove, so far as possible, the cost of maintaining our penitentiary, insane asylum, our criminal courts and jails by abolishing, curtailing, or restraining the chief cause of crime—strong drink; reduce the cost of transporting convicts from the respective courts to the Territorial prison by amending criminal laws so that short-term convicts can be sentenced to the county jails.

TAXABLE VALUES.

In my last annual report to the Secretary of the Interior will be found a tabulated statement of the class and value of taxable property for 1894, also the assessed valuation from 1883 to 1894, inclusive, which shows a shrinkage in the value of the property in the Territory of $1,424,208.04 under the year 1893, and a shrinkage of $8,944,912.05 since 1883. The following shows the the total value of the different classes of taxable property for the following years:

Taxable property.	1893.	1894.
Land	$5,198,515.35	$5,829,248.68
Improvements thereon	1,604,014.00	1,603,257.50
City and town lots	2,986,591.40	3,003,445.50
Improvements thereon	2,642,682.40	2,966,404.50
Cattle	3,742,936.65	3,064,221.90
Sheep	847,463.48	538,990.71
Horses	1,072,378.89	970,242.35
Mules	51,050.00	43,459.00
Asses	13,589.50	12,642.00
Goats	5,553.00	4,226.00
Hogs	19,286.65	18,282.21
Bulls	3,597.00	.....
Cows	.....	200.00
Stallions	1,410.00	1,260.00
Burros	335.00	468.00
Railroads	5,968.781.26	5,651,053.62
All other property	4,326,998.42	3,913,022.99
Total	28,486,183.00	27,061,974.96

It only requires a glance at the foregoing rates of assessment to determine that they are extremely low. It is fair to estimate that not more than one-half of the personal property is assessed, and only a small portion is listed at more than one-half its value; and instead of Arizona's taxable property being placed at a fraction over $27,000,000, it should not be less than $100,000,000. This very low rate of assessment necessarily makes the rate of taxation excessively high. There is just so much revenue to be raised to meet the cost of the government, whether we

have a low or just valuation. If assessments were made on the basis of a cash value, the tax rate would be reduced more than one-half. It is a fact that the poor man pays all his possessions will bear, but there are those who have their herds of stock assessed at much less than the actual number. In counties where there are thousands of blooded stock there are but few or none on the tax roll. The assessed value of blooded stock and the selling price is striking. The same can be said of the value of improved real estate and corporation property. The result is most injurious. This showing of high taxes and extremely low values, taken in connection with the public debt, alarms capital and discourages immigration and investments.

Measures should be adopted to assess property at what it would be appraised if to be sold for a just debt of a solvent debtor.

TAXATION AND REVENUES.

There is a large amount of property and many industrial interests which are now exempt from the tax roll. It is a fundamental principle of our Government that all property should bear its just share of the tax burden. I recommend the repeal of all laws exempting property from taxation, and that every kind and character of property—real, personal, or mixed—without exception, save public property, be made subject to taxation. This would add much to the tax roll of every county.

In addition to this I would recommend that every interest which received the protection of the law should be required to pay its just share of the cost of maintaining and enforcing the law.

ASSESSORS.

I believe that county assessors should be appointed instead of elected. The assessor should be absolutely independent of political parties or the taxpayer, to the end that he would not be answerable to them for their suffrage or his office. Impartial judgment would then be exercised in placing all property on the tax roll at a just valuation. The appointment of the assessor might be safely lodged in a commission, composed of the district judge, the treasurer, and the chairman of the board of supervisors of each county.

THE FISCAL YEAR.

Under the statute the various heads of departments are required to make their biennial reports to the governor in February. This, because the fiscal year closes December 31. I would recommend that the fiscal year be made to close June 30. This would be in line with the Federal law and the law of many of the States, and would give the various departments ample time to consider the needs and recommendations necessary to be made in their reports, which could then be published before the meeting of the legislature and for its information.

The respective Territorial officials have had their biennial reports printed, that the same may be placed in your hands for your examination and information. The cost for printing not being authorized by law, these officials have assumed the same. This being in the best interest of the public service, I recommend that you make an appropriation to meet the cost of such publications, and that you authorize all Territorial officials in the future to have their biennial reports printed before the meeting of the legislature.

TERRITORIAL TREASURER.

The report of the treasurer, transmitted herewith, is a concise statement of the financial condition of the Territory.

The receipts to the different funds are shown in detail. In the same manner the disbursements are set forth. The balance to each fund, brought down under its respective head, is summed up in the general statement, showing receipts of $609,723.46 and disbursements of $536,546.43, leaving a balance of $73,177.03 in the treasury December 31, 1894.

The indebtedness of cities and counties, for which the Territory becomes responsible under the funding act, is $1,334,899.57. The Territorial debt proper is $938,720.96, of which amount $234,620.53 is a floating debt consisting of Territorial warrants bearing 10 per cent interest per annum. It is expected to take these up by 5 per cent bonds under the same funding act in the near future.

SEMIANNUAL PAYMENT OF TAXES.

I concur in the recommendation of the treasurer, that a law should be passed making the taxes payable semiannually, in June and December of each year. There are many advantages to this plan. Under the present system a large amount of money is taken out of circulation every December, enough to make quite a stringency in the money market. Much of this money remains in the hands of the various treasurers to meet expenses six months ahead. It will not cost the Territory or

counties any more to have the taxes payable semiannually than annually, as the taxes would be levied and property assessed just as is now done, and the full amount put upon the collection register; but if one-half of the amount is paid on the date that the taxes are due in December, then the balance will not be due until a similar date in the following June, but if the first half is not paid when it becomes due, the whole amount becomes delinquent and collectible the same as under the present law.

Many of the older States have adopted this plan, and have found it to be much more satisfactory than annual payments.

AUDITOR'S REPORT.

The auditor has filed a comprehensive report, showing the total expenditures of the two years ending December 31, 1894, was $345,305.43. The amount of warrants redeemed for the same date was $194,015.16, which leaves warrants outstanding $236,650.53. This represents the floating indebtedness of the Territory; and if the outstanding warrants of the last auditor's report be deducted from the same, it shows the excess of expenditure over receipts to have been $22,834.67 during the last two years, or an annual deficit, in round numbers, of nearly $11,500 per annum, which is much less than for past years.

Recommendations will be submitted for your consideration which will curtail the expenditure more than enough to meet this deficit, if the present tax levy is continued. The auditor recommends that estimates necessary for maintaining the various branches of the public service be made; that the legislature make appropriations to cover these estimates and require each branch of the service to limit its expenditures to the amounts thus appropriated, and to prohibit the practice now prevalent of drawing upon the general fund, thus closing the door to the danger or temptation of reckless or extravagant expenditures.

I commend the same to your consideration.

TERRITORIAL PRISON.

The biennial report of the superintendent of the Territorial prison is submitted herewith. It presents facts and figures concerning this institution which are suggestive, and indicate the merits of the present management. The cost of maintenance during the past four years has been:

For 1891, the gross expenditure	$54,741 98
The per diem cost	$150.62
The average number of prisoners	146
For 1892, the gross expenditure	$54,633.47
The per diem cost	$149.28
The average number of prisoners	160.48
For 1893, the gross expenditure	$48,593.77
The per diem cost	$135.86
The average number of prisoners	144.08
For 1894, the gross expenditure	$48,150.05
The per diem cost	$131.94
The average number of prisoners	167.74

For the years 1891 and 1892 the total expenditure was $109,375.45. The average per diem cost was $149.67. The average number of prisoners was 153.22.

For the two years 1893 and 1894 the total expenditure was $97,743.82, the average per diem cost was $133.90, and the average number of prisoners was 155.91.

From the above figures it will be seen that in 1893 and 1894 there was a reduction in the gross expenditure under 1891 and 1892 of $11,631.63.

The credit from various sources paid into the Territorial treasury on account of prison amounted to $2,196.27, thus virtually making the cost of maintaining the prison for 1893 and 1894 $13,827.90 less than it was in 1891 and 1892.

The repairs and improvements on buildings and work on prison farm performed by prison labor, estimated according to wages usually paid free labor, amounts to $7,350. There is also cut granite to be disposed of for building purposes valued at $1,534, showing a saving to the Territory in these two items of $8,884. A claim for $34,115 for maintaining Indian prisoners from April, 1885, is now before the United States Attorney-General, who by act of Congress is instructed to adjust and settle the account. There is good cause to believe that the same will soon be allowed and paid into the prison treasury.

It is a matter for your consideration that of all our institutions the Territorial prison is the greatest source of expense. The inmates are better clothed, fed, and sheltered than the majority of the citizens of the Territory, and until recently they have been kept or herded in the prison in absolute idleness. Hence we have this condition confronting us: The lawbreaker is well fed, clothed, and sheltered at the expense of the law-abiding, industrious, thrifty citizen. The prison should be made

a penal institution; in fact, the violator of law should be compelled to labor instead of being pampered in idleness.

Plans are in progress to inaugurate industries, within and without the prison walls, which will give employment to a majority of the prisoners, and will be perfected if the law is amended authorizing the contemplated measures to be carried into execution. During the year 1893, as per my recommendation to the Secretary of the Interior, Congress granted to the Territory a tract of 2,400 acres of land adjacent to the prison, at the intersection of the Gila and Colorado rivers. During the last three months a number of convicts have been employed in preparing the land for cultivation, with excellent results. It is with good reason predicted that the cultivation of this tract of land by prison labor will result largely in the reduction of prison expenses. In this connection I would state that there have been several propositions tending toward the leasing of these prisoners for a term of years, inside and outside the prison walls, for working onyx, marble, brickmaking, saddlery, shirt, shoe, and basket manufacturing; but the fact that the law prohibits the leasing or contracting of convict labor outside the prison walls has prevented these propositions from being entertained. In view of this fact, and in the interest of aiding in making this institution in part or wholly self-sustaining, and that convicts may be employed outside the prison walls, I would recommend that you provide by law the remedy which will authorize the leasing, contracting, or otherwise employing convicts outside as well as inside of the prison.

I predict that the prison can be made self-sustaining, or nearly so, in a reasonably short period of time if this authority be granted.

THE INSANE ASYLUM.

The report of the board of directors and superintendent of the insane asylum sets forth in detail the management, improvement, progress of, and retrenchments made in this institution during the last two years. From January 1, 1893, to June 1, 1893, the expenditure was $11,329.60, and from June 1, 1893, to January 1, 1894, under the present management, $14,476.23, making the cost of seven months exceed that of five months under the former management $1,146.63.

The per capita cost for maintenance for the year 1893 was $272, and the per capita cost for 1894 was $216, while the per capita cost for the year 1892 was $354, showing a reduction of $138 in the per capita cost for the maintenance of each individual patient during the year 1894 as compared with the year 1892.

The asylum farm has been much improved. The value of the products from the same for the two years was $6,754.42.

The superintendent, in his report, makes some very important recommendations, which I commend to your attention and consideration.

BOARD OF CONTROL.

In the interest of retrenchment and economy in the public service, I recommend the abolishment of the Territorial boards of prison, insane asylum, and reform school, and in lieu thereof the creation of a nonpartisan board of control, the majority to be composed of Territorial officers who are required to give their entire time to the public service. Under the present system the Territory is fortunate in having exceptionally efficient and honorable men constituting these commissions—men of business affairs, who, in the performance of their official trusts, have sacrificed their personal business interests. These duties call them together monthly or quarterly as fixed by law. As a rule when they meet they are greatly hurried or rushed; they do not devote sufficient of their time to the institutions or interests in their official keeping, hence they depend almost entirely upon the suggestions of the superintendents. Fortunately, the present superintendents are men of high character and especial fitness for the duties assigned them, so that no harm results. But by the legislature creating a board of control such as I suggest expensive commissions could be dispensed with, thus saving the Territory annually about $12,000. The deficit of the Territory aggregates about a like sum. Your attention is called to these facts.

MILITIA.

The adjutant-general has submitted his report, with recommendations worthy of your consideration. The aggregate strength of the National Guard of Arizona is 503, officers and enlisted men, and consists of ten companies, comprising the First Regiment of infantry and regimental band. The adjutant-general recommends that the present infantry regiment be strengthened to twelve companies, that three companies of cavalry at least and one light battery of artillery be added to the National Guard; also that the appropriations made by the National Government and the allowance by the Territory be increased.

As there is a concerted movement throughout the United States to introduce mili*tary tactics in* the higher grades of our public schools it is recommended that you

enact a law making it a part of the high school curriculum. This can be done with little or no expense to the Territory, as we have several thousand stand of arms (of the old pattern) not in use by the guard, which can be utilized by the different educational institutions. It is believed that an old soldier could be found in every settlement who would willingly give a portion of his time to this discipline.

PUBLIC EDUCATION.

It is gratifying to note the devotion of our people to the public-school system and their willingness to provide liberally for its support. Under such conditions the advancement of our schools can not be otherwise than steady and rapid. There are now 293 schools in the Territory, with an enrollment of 11,319 pupils, an increase of 1,215 pupils for the year 1894. The total school population is 16,203, showing a gain during the last year of 740. There are 293 teachers in the Territory, who are paid an average monthly salary of $75.30; $176,671.02 was expended in maintaining the schools, and the total valuation of the school property is reported to be $405,446.32, an increase over last year of 17 per cent. Some change in the school law is recommended.

The power and duties of the Territorial superintendent of public instruction should be enlarged. He should be required to visit every county at least once a year and audit the accounts of the county superintendent and county treasurer. All grades of public school work should be represented on the board of education, and the office of probate judge and county superintendent should be segregated. The duties of the two offices and the qualifications necessary for their performance are so unlike that efficiency would be added to the school system by the change.

The superintendent should be a teacher of experience and hold a valid first-grade certificate, or its equivalent, at the time of his nomination for the office; no increase of salary would be necessary. A restrictive clause limiting the renewal of certificates would do much toward maintaining a high standard in the teaching force. The Arizona Teachers' Association should be encouraged by legislative enactment. Salaries should be graded according to the experience and efficiency of teachers, and I respectfully suggest that a graduated table of salaries, based upon teachers' experience and grade of certificate, would be equitable, and would be a strong inducement to teachers to make their profession a lifelong one. Such a plan would increase the efficiency of the teaching force without extra expense to the people. An advantage to both schools and teachers would result from a change in the date of school trustees' elections so that the election will come before the school term ends instead of coming in the middle of the summer vacation. A saving of about 40 per cent of the cost of schoolbooks could be made by the enactment of a proper law providing for free textbooks. General dissatisfaction exists with the custom of "farming out" teachers' positions. This evil should be prohibited by law.

For a fuller discussion of the subject I refer you to the comprehensive and instructive biennial report of the superintendent of public instruction, copies of which I submit herewith.

THE NORMAL SCHOOL.

I herewith submit the biennial report of the secretary of the board of directors and principal of the normal school, which will furnish you accurate information concerning the growth and financial condition of that institute.

The current expenses have been reduced about $1,200 during the past year, without impairing the efficiency of any department of instruction.

To complete the new building in course of construction the architect estimates will require $46,665. Contracts for the stonework to the top of the water table were let for $6,889.

UNIVERSITY OF ARIZONA.

During the past year a thorough reorganization of the management of the university was effected by the board of regents. Salaries and current expenses have been reduced to the amount of about $6,500 per annum, which sum is utilized in carrying on the extra work that has been provided for.

The system of conducting the experimental station gives promise of being productive of more practical results than in the past that will be of great value to the agricultural and horticultural interests of the Territory.

As a result of the act passed by the seventeenth legislative assembly providing for a Territorial museum at the university, many valuable mineral specimens, the World's Fair exhibit, and about 1,600 specimens of Arizona birds have been obtained and are now on exhibition at the institution.

I submit herewith the report of the board of regents and of the president of the university, containing much interesting information in detail and numerous recommendations which are worthy of your consideration.

EDUCATION OF THE INDIANS.

By reference to my annual report for the year 1893 to the Secretary of the Interior you will observe there are over 7,000 Indian children of the school age in the Territory, and that of these only about 1,600 are in attendance at the Indian schools.

The Territory should take an interest in this matter and secure more Government aid for their education and civilization.

I respectfully recommend the passage of a joint resolution calling attention and urging upon the Department at Washington the necessity for establishing more industrial Indian schools in the Territory.

BOARD OF CURATORS.

The board of curators has, with the means under its control, proceeded with such reformations as were immediately practicable of the Territorial library. A system of more thoroughly preserving the current newspaper literature of the Territory by binding the same in substantial volumes has been inaugurated. The press of the Territory is practically its daily history. Its progress and development is there written in the immediate light of existing facts. The value of these volumes for future reference can scarcely be calculated, and the continuance of the present system is to be commended.

Many of the series of the state reports have been completed or have been strengthened, and valuable treatises have been added to the library, which has been open to all of our citizens under reasonable rules and restrictions.

It is believed that upon the coming in of the report of the board of curators that the legislators will feel it a pleasure and a duty to liberally provide for the prudent care and enlargement of the Territorial library.

LIVE STOCK SANITARY COMMISSION.

The live-stock interest of the Territory is among the largest of the revenue-producing industries. For this reason it should receive at your hands due consideration. The range industry will retain its rank, because present herds are constantly being improved in blood and raised in value by new importations. The area of irrigated lands is constantly enlarging; in like proportion the fattening capacity of the Territory increases. This feature of the stock industry is yet in its infancy, but to-day the fattening fields of Arizona are well known in all the beef markets of this country. The finished products of all industries command the highest price; therefore it is important that the stock in our fattening fields be kept healthy by proper enforcement of judicious quarantine and isolation regulations. The accompanying report, to which your attention is hereby directed, will give you information of the dangers which in the past year threatened the industry, and of the success had in combating them.

The auditor, in his report, places the expense of the commission at $7,540.85, and recommends that it be abolished. The commission, in its report, gives a detailed statement of all expenditures, showing expense of $2,504.18 contracted previous to their administration; also that the total properly chargeable to them for the two years ending December 31, 1894, is $5,036.67, a large part of which was directly caused by glanders and tuberculosis outbreak. The necessity of not only keeping the stock of the Territory healthy, but of having it so considered in the markets of the country, is so important that I commend the work of the commission. The commission recommends that its organization be continued, but in the line of economy suggests that the members be reduced from five to three; also that several changes be made in the law governing inspection. I concur in this recommendation, with the proviso that the stock interest pay the expenses of the commissioners, the Territorial veterinarian to be paid as at present.

One of the most important recommendations I have to offer is contained in the suggestion of this commission—that a law be enacted defining grand larceny to be the unlawful taking of property of the value of $100 or over. In this I heartily concur, believing thereby the cattleman's interest will be better protected, justice better subserved, and the expense attending criminal prosecution for theft greatly reduced.

THE RAILROAD COMMISSION.

The board of railroad commissioners have submitted their report, from which it appears that during the past two years several internal railroads have been under process of construction, giving a total of 229 miles of new road, and for the past year 187 miles, being the greatest number of miles of railroad constructed in any State or Territory in the United States during the year 1894.

Considering the financial crisis and business depression which existed throughout the country during the year, this activity in railroad building ought to be accepted as evidence of the faith investors have in Arizona, its immediate present and future prosperity.

I desire to call attention to the limited power conferred by law upon the board of railroad commissioners, which render it of little service to the Territory. I would therefore recommend that the scope of its power be enlarged, in a measure similar to that of California and other States. or that the commission be abolished. A board clothed with reasonable but limited and well-defined powers could be of much benefit to the people and to all interests concerned.

I submit the report of the board herewith.

A BOARD OF IMMIGRATION OR BUREAU OF STATISTICAL INFORMATION.

One of the most practical means for reducing taxation is by increasing the taxable property. To accomplish this we must secure immigration and investment of capital; to aid in the development of our wealth resources; we must supply those seeking new homes or sources of investment with the information sought. For this purpose there should be created a bureau of information, statistical agents, or an immigration commission. Every county in the Territory is rich in resources which should be made known to immigrants, home seekers, and capital seeking investment.

To this end I would recommend the creation of a nonpartisan commission on statistical and general information, each county to be represented thereon, the commissioners to receive a moderate compensation for their services. This would give each county an official who would be required to furnish statistical information to the governor for his annual report, to heads of departments, as well as to those seeking homes or investments.

In my opinion, such a commission, if comprised of the right men, would prove of very great value in developing and adding to the taxable wealth of the Territory.

I submit the suggestion with the hope that you will crystallize it into some practical measure which will give the result desired.

LOAN COMMISSION.

There has been expended on account of the loan commission for the years 1893 and 1894 a total of $15,170.48, of which $13,268.83 was incurred and expended by the former administration in the refunding of Territorial, county, and municipal indebtedness, and $1,901.65 by the present administration (of twenty-one months), of which $510 was paid for employing an expert to render a financial abstract of the condition of the Territory for the last four years, as shown by the treasurer's and auditor's books. This was required by the commission for its information and guidance, and was asked for by contemplating purchasers of Territorial 5 per cent bonds.

Although every possible diligence has been used to dispose of additional Territorial funding bonds by the present loan commissioners no sales have been effected, the primary causes being the stringency in the money market and the fact that the law providing for the issuing of these bonds does not require principal as well as interest to be payable in gold. This is a matter for your consideration.

I would call attention to the fact that the auditor's report shows warrants outstanding to the amount of $236,650.53, bearing 10 per cent interest. Most of this indebtedness was issued in direct violation of law; this indebtedness, however, was legalized August, 1894, by the passage of an amendment to the funding act extending its provisions as to Territorial indebtedness to January 1, 1896. As soon as suitable legislation is enacted making this amendment available, I feel confident that the outstanding warrants can be converted into 5 per cent funding bonds, which will reduce the interest one-half.

I deem it proper to call your attention to the expenditures of the loan commission, both of the past and present administrations, and as there has been much public comment touching the same I would recommend that you appoint a joint committee to make a thorough investigation and report its findings for public information.

TERRITORIAL IRRIGATION ENGINEER.

Several of the States, notably Wyoming, have profited much by the aid of an irrigation engineer, whose duties are confined exclusively to the subject of irrigation, the water supply and its distribution, and all matters pertaining thereto. I would recommend that you create such an office, and that the professor of irrigation of the University of Arizona perform the duties of such office without additional compensation.

TERRITORIAL ARCHITECT.

In view of the number of public buildings now under course of construction and the necessary erection of others in the future, and the improvement and repair of those already constructed, I would recommend that the office of Territorial architect be created, the architect to have a general supervision of the construction and repairing or improvement of all public buildings, and that his compensation be limited to the per diem actually given to such public work. I believe that a sum many times

greater than would be paid to this office would be saved annually to the public treasury, as well as having public buildings better constructed and kept in better condition than at present.

TERRITORIAL QUARANTINE AND HEALTH OFFICER.

During the year 1893 this department was called upon to cooperate with adjoining States and Territories to devise rules and regulations to quarantine against the invasion of cholera. In the absence of any law on the subject giving authority, as an extraordinary measure I appointed Dr. George E. Goodfellow, of Tucson, Territorial quarantine and health officer for the Territory, without compensation. He perfected most satisfactory quarantine regulations with California and transportation lines, to be enforced if necessary. In view of the possibility of the necessity of quarantining against any plague, pestilence, or infectious disease, I would recommend the creation by law of a quarantine health officer, the officer to receive no compensation save his actual expenses when incurred in the performance of his duty as such officer.

TERRITORIAL HISTORIAN.

Historical facts, data, and relics of this region, which are now but little valued, but to the future historian of Arizona will prove of incalculable worth, ought to be collected, compiled, and preserved, and to this end I would recommend the creation of the office of Territorial historian, at a moderate compensation.

COMMISSIONER OF AGRICULTURE.

The rapid growth of the agricultural interests of the Territory renders a commissioner of agriculture almost an absolute necessity for the best interests of the Territory. Nearly all, if not all, of the Western States and Territories have such an officer, who is the official mouthpiece of the agricultural interests of the State. I recommend the creation of such an office, without compensation.

OUR ARID LANDS.

Arizona is credited with 49,000,000 acres of arid land, of which it is estimated that 10,000,000 acres are capable of reclamation to agriculture if the necessary water can be supplied.

The Carey bill, passed at the last session of Congress, provides that 1,000,000 acres shall be granted to each of the States and Territories, free of all charges for surveys, etc., for experimental reclamation, to be disposed of by them in such manner as each shall determine, with the condition that no more than 160 acres should be conveyed to any one person, and other minor conditions, the land to revert to the General Government if not reclaimed and occupied in a given time; but the provisions of this bill are not applicable to the Territories until they are admitted to statehood. This is a grave injustice. Arizona, as a Territory, can legislate for the reclamation of these lands, and when we come into statehood the Territorial law governing the same would obtain under the State.

In my report to the Secretary of the Interior I urged that this law be so amended that Arizona could at once avail herself of its beneficent provisions, and that this legislature could pass measures necessary for the reclamation of the same. I earnestly recommend that you at once adopt a joint resolution urging Congress to adopt the amendment that you may legislate in this behalf

RESERVOIRS.

Our Territory is profoundly interested in the preservation to the people of the munificent advantages which are presented by our arid lands and the natural reservoir sites. The fertility of our arid lands, with a sufficient amount of water for cultivation, is beyond question. It is our opinion that the Territory of Arizona, or future State of Arizona, should own all the arid lands within our borders; and that if we are to be unfortunately continued as a Territory instead of soon becoming a State, Congress should enlarge our power to provide a permanent system for owning our lands, and for developing, owning, and controlling our great reservoir sites.

The surplus water should be harvested in winter in these great sites, and, after first supplying to existing farmers such additional water as may be required at reasonable rates, the balance of the water should be sold or leased in perpetuity and annexed to the arid lands to be sold to settlers under restrictions that no greater amount than 160 acres should be acquired by any one person. The revenues to be derived from such an ownership in the Territory or State should be first applied to the obligations incurred in constructing and maintaining the system suggested, and when the obligations thus incurred are paid all future revenues from this source *should be enacted* into a permanent school fund for the Territory or State. It is *respectfully suggested* that the legislature consider the propriety of the appointment

of a commission which will be authorized and empowered to promptly investigate the resources possessed by our Territory for a great artificial supply of water from our great natural reservoir sites and the arid lands which can be cultivated therefrom, and to formulate and recommend for legislative sanction a method by which the Territory or State may acquire the ownership of all of its arid lands and reservoir sites, with power to make the same of the greatest benefit to our people and a permanant source of revenue for the support of our public schools.

IRRIGATION.

I would recommend a more stringent law requiring irrigation companies to supply water, sold or paid for, or in default of such supply to reimburse the purchaser thereof.

WORLD'S FAIR COMMISSION.

I call your attention to the report of the World's Fair commissioners and the work accomplished. Awards granted to the Arizona exhibit, twenty in number, is a matter of congratulation. The commission has returned to the treasury in cash $1,985.53. I would recommend the report of the commission be printed and distributed for general information.

CAPITOL GROUNDS.

There has been expended on account of the capitol grounds, for the years 1893 and 1894, $2,794.72. The grounds comprise 10 acres, which are made attractive with driveways, walks, well-kept lawns, flowers, roses, etc., and are a credit to the commissioners in charge, and evidence that the money expended in the care of same has been economically and judiciously invested.

SCHOOL LANDS.

I call your attention to the large amount of school lands that are cultivated and untaxed, which under the law can not be made available for taxation without Federal legislation. With this legislation these lands could be leased and taxed. It is estimated that the income from the same would be many thousand dollars annually. This income would materially reduce our school tax.

I recommend a joint resolution to Congress asking a law authorizing the Territory to lease and tax these school lands.

TO ENCOURAGE MINING.

Mining is the paramount industry of Arizona. You should legislate to encourage the same.

I call your attention to a great obstruction to the mining industry of the Territory caused by those men who make it a business to locate and relocate, year after year, the same claims, but never do any development work thereon; holding these claims against honest prospectors and miners, and thus hindering development. It is a notorious fact that some of these locators have many claims upon which no development work has been done.

To remove this obstruction to legitimate mining, I recommend appropriate legislation.

NONENFORCEMENT OF LAW.

Attention is called to the fact that the following laws upon our statute books, all passed by the legislature of our Territory for the protection of our people and conservation of good morals, are practically ignored by the law officers of the Territory whose duty it is to enforce the same, viz:

(1) An act to amend paragraph 2244 of the Revised Statutes of Arizona, found in Acts of General Assembly, 1881, page 20, being an act prohibiting the sheriff from issuing license to any public place frequented or visited by females or minors.

(2) An act to suppress houses of ill-fame in certain places, found in Acts of General Assembly, 1891, page 82.

(3) Act No. 88, General Assembly, 1891, page 137, being an act to prohibit the sale of intoxicating liquors to drunkards and minors, and the sale of cigarettes to minors.

(4) Act No. 28, General Assembly, 1893, page 30, being an act prohibiting the admittance or the remaining of any minor in any saloon, unless accompanied by parent or guardian.

(5) The law in respect to disorderly houses, paragraph 529, criminal code, Revised Statutes, 1887.

(6) The law in respect to adultery, open and notorious cohabitation, as provided in paragraph 433, criminal code, Revised Statutes, 1887.

(7) Prize fighting, criminal code, paragraph 656 and 657, Revised Statutes, 1887.

These laws are openly disregarded, and to all appearances are a dead letter upon our statute books, so far as regards any efforts on the part of the officials to enforce the same.

I recommend that such legislation be had as will force the officials to perform their duty in respect to the same, and if this is not practicable that the laws be repealed.

COTTON STATES AND INTERNATIONAL EXPOSITION.

I call your attention to the Cotton States and International Exposition to be held in Atlanta, Ga., from September 18 to December 31 this current year. Arizona has been invited to make an exhibit of her resources and products. This exposition is not confined to the cotton States or to the continent, but is international in the broadest sense of the term. It was put upon this plane by the action of Congress, and several foreign governments have already announced their intention to be represented.

I would recommend that a reasonable appropriation be made to place on exhibition a display of Arizona minerals, agricultural and horticultural products.

APPROPRIATIONS.

I call your attention to the reports of the various departments of the government, which contain information and suggestions worthy of your careful consideration, and while extra appropriations may be called for, I feel that you will guard well the public treasury, which represents the contributions of the people, but you will also remember that while there is an economy which impoverishes there is also a wise generosity which enriches.

JOINT RESOLUTIONS.

You can do much to encourage Congressional legislation on matters of material interest to the Territory by petitions in the form of joint resolutions. In this behalf I would recommend that by such resolutions you petition Congress—

To segregate the San Carlos coal fields from the White Mountain Indian Reservation.

To make a liberal appropriation for the improvement of the Colorado River.

The establishment of more Indian industrial schools in the Territory for our Indian boys and girls.

The allotment of lands in severalty to the Papago, Maricopa, and Pima Indians.

To adopt stringent measures to preserve the forests at the head water of our streams, as a measure of protection against both floods and water famine.

STATEHOOD AND LEGISLATURE.

The people of the Territory are much interested in the subject of the admission of Arizona to statehood. You can do much to hasten or retard the same. The character and scope of your legislative action may be taken by the people of the great States as an index of Arizona's qualifications for admission into the family of States. The enactment of laws in the interest of good, pure, and economical government must tell in our favor, while the failure to repeal bad or questionable laws will operate against us.

THE LIQUOR TRAFFIC.

On the subject of the liquor traffic, I refer you to my annual reports for 1893 and 1894 to the Secretary of the Interior, and ask of you a most careful consideration of the same, with the hope that you may, in your wisdom, solve this problem by appropriate legislation.

GAMBLING.

I recommend the enactment of a law prohibiting gambling, and imposing heavy penalties for the violation of the same.

LOTTERY TICKETS.

The traffic in lottery tickets is an evil second only to gambling. I recommend the prohibition of the same.

THE SABBATH.

The law enacted by the sixteenth legislature to secure the observance of the American Sabbath is totally ignored, owing to the doubtful legality of the legislature passing the same; I would therefore recommend the enactment of a Sunday rest law, to the end that the people may exercise the privilege of a proper observance of the Sabbath day.

CARE OF THE DEAF AND DUMB.

I would recommend that provision be made for the care of the deaf, dumb, and blind of the Territory.

PARDON OF COUNTY PRISONERS.

Frequently there are meritorious cases of convicts sentenced to county jails who are applicants for pardon.

I recommend a law giving jurisdiction to district judges in such cases by authorizing them under certain conditions to reopen and review cases of misdemeanor after sentence.

PRISON CHAPLAIN.

In view of the general custom and the good results which flow therefrom, I recommend that a chaplain be provided for the Territorial prison.

PURITY IN ELECTIONS.

In the interests of a higher standard of politics, I would recommend that all candidates elected to office be required to file with the proper officer a sworn statement of their election expenses. In this connection I call attention to the pernicious practice which requires candidates for office to treat and drink with voters, and deposit money in saloons for "free drinks," which is no less than a bribe to the saloon keepers and the electors for political support. The custom is demoralizing and debauching to all concerned, and prevents many good citizens from becoming candidates for important elective offices.

A remedy lies in making any or all of the acts of such practice a misdemeanor and disqualifying the candidate guilty of the same from holding the office to which he may be elected.

WOMAN'S SUFFRAGE.

In harmony with my predecessor, Hon. N. O. Murphy, I recommend that a law be passed giving to the women of Arizona the right to the elective franchise.

ELECTION LAWS.

The so-called Australian ballot system meets with the approval of the people. There are several slight improvements suggested. Owing to the rapid immigration and investments of capital, I would recommend that the term of residence necessary to become an elector be changed from one year to six months. I would also recommend that every elector be required to vote in the precinct in which he is registered.

MUNICIPAL.

I recommend the repeal of all laws allowing salaries to the mayor and councilmen of any incorporated city in the Territory.

I also recommend a law empowering municipal authorities to make such improvements on streets, sidewalks, and sewerage as the public necessity demands.

VACANCIES IN OFFICE.

I recommend that all appointments to fill vacancies occurring by death, resignation, or otherwise, of any county, precinct, or district office shall hold only until the next election following said appointment.

ATTORNEY-GENERAL.

I believe it would be in the interest of good government for the attorney-general to aid in the prosecution of United States criminal cases when required by the governor, and to be prohibited from defending any criminal case, Territorial or Federal.

LIMITATION ON LEGISLATION.

Your attention is called to the limitation placed on legislative action, as set forth in the Federal law generally known as the Harrison Act.

COMMITTEES OF INVESTIGATION.

I would recommend that you appoint joint committees to examine into the condition, management, and needs of the respective Territorial institutions, with a view to public information concerning the same.

MERCHANTS' LICENSE TAX.

The license tax imposed upon merchants under paragraph 2230, section 9, Revised Statutes, as amended, imposes an unjust and grievous burden upon the merchants of the Territory.

I recommend its repeal to your early consideration.

PUSH YOUR WORK.

Although the session is limited to sixty days, I believe you can complete the work before you in less time if every member will do his duty and the various committees will push the bills committed to their care; in this the presiding officers can do much by keeping close watch on the respective committees and urging the prompt report of bills. It is a matter common to legislative bodies, and more especially to Territorial legislatures, that more work is accomplished during the last two weeks of the session than in the previous six. The result is that much of the work is not as well and as carefully considered as it should be. The executive is not given that time to which he is entitled for a careful examination of bills passed before signing them, therefore I would urge that you push your work from the very opening of the session, so that undue haste on the closing day of the session may be avoided. This much you owe to yourselves as well as to those you represent.

Tendering you my earnest and diligent cooperation in your legislative duties, let us unite in asking Divine light and wisdom, that we may pursue the plain path of duty in our efforts to promote the general welfare of the Territory.

LOUIS C. HUGHES, *Governor*.

NEW LAWS ENACTED.

I have no hesitation in stating that the laws passed by the legislature are in every way better and of a higher order than those passed by all of the previous legislative assemblies of Arizona, and not only indicates a high order of intelligence, but an expressed desire for good government.

The following were the most important laws enacted:

Abolishing the board of commissioners of the Territorial prison, the insane asylum, and the reform school, and creating in lieu thereof a board of control, composed of the governor, the Territorial auditor, and a citizen member of the opposite political party as the other members. The duties of the several boards abolished, to be performed by the board of control. No other compensation than the fixed salaries and actual traveling expenses allowed, and these only to the auditor and citizen member. The result of this law is a retrenchment of many thousands of dollars annually.

Providing for the education of the deaf, dumb, and blind of the Territory.

In relation to elections and crimes and offenses against elective franchise, better known as the purity of election law, imposing severe penalties on candidates who use money, strong drink, promises, or other improper inducements to influence voters.

Requiring foreign insurance corporations or companies and associations to give bonds for security and protection to policy holders in the Territory.

Inns and boarding-house keepers.

To establish and maintain high schools.

To provide for the funding of the Territorial indebtedness.

Concerning mines, and to encourage the development of the same.

Concerning roads and their improvement.

Classifying the counties of the Territory and fixing the compensation of county officers thereof; grading same on the assessed valuation of the property in the county. This law at once reduced salaries of county officials in the aggregate to more than $20,000.

Providing for the inspection of and regulating the slaughtering of animals for sale in the Territory.

Providing for a Territorial board of immigration commissioners. This law provides that the governor shall appoint a member for this board from each county, who shall be paid a salary by the county and a given sum to be appropriated each quarter for advertising the resources thereof. In harmony with the spirit of the law a representative of a newspaper was appointed in each county. It is made part of the duty of these commissioners te furnish the governor statistics and information for his annual report to the Secretary of the Interior. Reports of these commissioners are submitted herewith as appendix to this report.

Providing for the erection of a dormitory at the University of Arizona.

Providing for repairing of the Territorial insane asylum.

Memorials to Congress were adopted as follows:

Protesting against the removal of the United States troops from the San Carlos Indian Reservation.

Praying for the admission of Arizona to statehood.

Requesting the General Government to set aside and form the petrified forests of Arizona into a national park.

Calling attention to the depredations of the Papago Indians on the cattle of stockmen in Pima County and asking for relief.

Asking to have the Carey act amended so as to allow Arizona to enjoy the immediate benefits of 1,000,000 acres of desert lands appropriated to certain States and Territories when admitted to statehood.

Asking for the restoration of the free coinage of silver.

Asking for relief of John D. Dobbs, who is a cripple; wounds received from hostile Indians.

That measures be taken to keep the Navajo Indians on their reservation.

That legislation be had legalizing bonds issued by the Territory to aid in the construction of railroads in the Territory.

RECOMMENDATION.

The legislature adjourned without providing for the usual appropriations, owing to the time of adjournment having arrived while the bill was under consideration.

In view of the expense attending an extra session of the legislature, and the fact that the joint committee of both houses had agreed upon the appropriation bill and the committee of the whole house had passed upon the same, I would recommend that the auditor of the Territory be authorized to audit such accounts as are provided for in said appropriation bill, the report of the committee of the whole house to be taken as the maximum to be allowed for any appropriation named therein; but all accounts and charges against said appropriation to be first approved by the board of control, the said board to be empowered to allow or disallow any charge against the appropriation in whole or in part, as will best subserve the public interest, and that Congress pass a law conferring the powers aforesaid.

VETOES.

Four vetoes were interposed to bills passed by the legislative assembly, two on account of illegal appropriations, one because of ambiguity, and one to a bill impairing the power of the courts to punish for contempt. The two latter vetoes were sustained. The two former passed notwithstanding the veto.

The following are the veto messages:

VETOING COUNCIL BILL NO. 1, MAKING IT A FELONY TO WILLFULLY CHANGE, ALTER, OR REMOVE ANY BILL OR RESOLUTION WITHOUT AUTHORITY OF LAW.

TERRITORY OF ARIZONA, EXECUTIVE OFFICE,
Phœnix, Ariz., February 9, 1895.

Memorandum filed with council bill No. 1, entitled, "An act making it a felony for any person to willfully change, alter, or remove any bill or resolution, without authority of law, after the same has been introduced in the legislative assembly." Not approved.

I would cheerfully approve the bill, as it is well intended, but it is defective on account of ambiguity, and will not provide the full remedy sought.

Section 1 provides: "Every person who shall willfully change, alter, or remove, or cause to be changed, altered, or removed, any bill or resolution from the possession of the proper custodian thereof, without authority of law, after the same shall have been introduced in either house of the legislative assembly of the Territory of Arizona, shall be deemed guilty of a felony, and on conviction thereof shall be punished by imprisonment in the Territorial prison not less than one year nor more than ten years."

The intention of the framer appears to be to make it a crime and provide a punishment for any person to willfully change or alter any bill or resolution, or to willfully remove any bill or resolution, from the possession of the proper custodian thereof, but the proposed bill does not so provide.

The defect is disclosed in the first three lines, and I suggest the following to meet the objection:

"SECTION 1. Every person who shall willfully, and without authority of law, change, alter, or cause to be changed or altered, any bill or resolution, after the same shall have been introduced in either house of the legislative assembly of the Territory of Arizona, or who shall willfully, and without authority of law, remove or cause to be removed, any bill or resolution from the possession of the lawful custodian thereof after the same shall have been introduced in either house of the legislative assembly of the Territory of Arizona, shall be deemed guilty of a felony, and on conviction thereof shall be punished by imprisonment in the Territorial prison not less than one year nor more than ten years."

L. C. HUGHES.

VETOING COUNCIL BILL NO. 30, A BILL FOR AN ACT TO REFUND LEWIS WOLFLEY HIS PERSONAL EXPENSES, WITH INTEREST, INCURRED IN OBTAINING THE CONGRESSIONAL ENACTMENT OF THE ARIZONA FUNDING ACT.

TERRITORY OF ARIZONA, EXECUTIVE OFFICE,
Phœnix, March 11, 1895.

Memorandum filed with council bill No. 30, entitled "A bill for an act to refund Lewis Wolfley his personal expenses, with interest, incurred in obtaining the Congressional enactment of the Arizona funding act." Not approved.

The purpose of the bill is set forth in its title. The person sought to be benefited thereby has by his efforts done the Territory a meritorious service in preparing and urging the enactment of the Arizona funding act, the results of which are a great saving to the Territory annually and to the respective counties in the reduction of interest on part of the bonded indebtedness.

However much I might be inclined to join the legislature in recognition of this service I find my duty in conflict therewith, as the provision of the bill is in conflict with the organic law of the Territory.

Congress has legislative control over the Territories, and an act of Congress affecting any or all of the Territories stands in the same relation thereto as a constitutional provision of a State.

The purpose of this bill is directly in conflict with the law of Congress applicable to all Territories, approved July 20, 1886, known as the Harrison act, and is therefore invalid.

Section 3 of said act declares: "That no law of any Territorial legislature shall authorize any debt to be contracted by or on behalf of such Territory except in the following cases: To meet a casual deficit in the revenues, to pay the interest upon the Territorial debt, to suppress insurrection, and to provide for the public defense, except that in addition to any indebtedness created for such purposes the legislature may authorize a loan for the erection of penal, charitable, or educational institutions for such Territory, if the total indebtedness is not made to exceed 1 per cent of the assessed value of the taxable property in such Territory as shown by the last general assessment for taxation."

This act of Congress is plain; there can be no doubt as to its meaning or intent. It is a limitation placed on the power of the legislature to create any debt or charge against the Territory other than for the purposes specified. What are these purposes? To meet a casual deficit in the revenues, to pay the interest on the Territorial debt, to suppress insurrection, and to provide for the public defense, except that in addition to any indebtedness created for such purposes the legislature (under certain limitations) may authorize loans for the erection of penal and charitable institutions for the Territory.

Section 15 of the Arizona funding act authorized an increase of indebtedness in excess of the Harrison act, but limits it to necessary and current expenses of carrying on Territorial, county, municipal, and school government, for the year ending December 31, 1890, and the amendment to this funding act, approved August 3, 1894, legalized only such outstanding warrants and certificates and other evidences of indebtedness issued subsequent to December 30, 1890, for the necessary and current expenses of carrying on the Territorial government only, together with such warrants as may be issued for such purposes for the year ending December 31, 1894, and for the year ending December 31, 1895.

It is clear that under the funding act and the amendments thereto the power of the legislature to create a debt or to authorize the issue of warrants is limited to such warrants as may be issued for the necessary and current expenses of carrying on the Territorial government only.

Hence it appears that the legislature can not create a debt or charge against the Territory except to meet a casual deficit in the revenues, to pay the interest on the Territorial debt, to suppress insurrection, to provide for the public defense, or for the necessary and current expenses of carrying on Territorial government.

All purposes for which a Territorial debt may be enacted are distinctly stated, and all other purposes are necessarily excluded. No one can successfully contend that the purpose for which the debt sought to be created by the act comes within the limitations or provisions of the law.

The purpose, as expressed in the enacting clause, is "to refund to Lewis Wolfley his personal expenses, with interest, incurred in obtaining the Congressional enactment of the Arizona funding act."

Is such a claim a necessary or current expense of carrying on the Territorial government? Whatever disposition there might be to refund to Mr. Wolfley the expense incurred by him in procuring Congress to pass an act that has been of such great public benefit, it can not be contended that such an expense is a "necessary or current expense of carrying on the Territorial government," and all claims other than such are barred by the provisions of this very act for the passage of which the expense was incurred.

LOUIS C. HUGHES, *Governor.*

VETOING COUNCIL BILL NO. 46, CONCERNING CONTEMPTS OF COURT.

TERRITORY OF ARIZONA, EXECUTIVE OFFICE,
Phœnix, Ariz., March 21, 1895.

Memorandum filed with council bill No. 46, entitled "An act concerning contempts of courts." Not approved.

Although the session of the legislature will have expired before the limitation for the return of this bill, in view of the fact that an unusual desire, especially by the representatives of the press, has been expressed for its approval, I deem it proper to state some of the reasons for my action concerning the same.

The gravest objection to this bill is found in section 2, which is as follows:

"All constructive contempts, and all contempts committed in constructive presence of the court, and all contempts by words spoken or written or printed of or concerning any judge or other officer of the court, shall be tried by some other judge or court than the one against whom the contempt is alleged to have been committed, and shall be tried and punished only as misdemeanors are tried and punished, and in such cases the defendant shall have the right of trial by jury."

This wide departure from all laws and usages of every State in the Union and the common law from time immemorial is so striking that it causes surprise and amazement when the results which must follow such a law are considered.

This bill would deprive the court of the power of trying contempts committed against it.

It would have these contempts tried by jury, and give the right of appeal as in other cases, thus absolutely depriving the court of the power necessary to sustain its dignity, if not its existence.

(1) The bill is in violation of the inherent right of the court to protect itself.

(2) It is in violation of the organic law of the Territory.

(3) It attempts an unwarranted interference with the absolute right of a coordinate branch of the government.

(4) It strikes a most fatal blow at the very existence of the court, and hence to good government.

IT CONFLICTS WITH THE ORGANIC ACT.

The courts of the Territory are vested with common-law power by act of Congress, Revised Statutes United States, section 1868 The act of Congress is the organic law of the Territory. Among the common-law powers is the one inherent in the courts to punish in a summary manner—that is, without trial by jury—all contempts of their authority.

This power is as old as the common law, and has always been accepted as the law of the land.

The courts agree with perfect harmony that the right and power to punish for contempt, actual or constructive, inheres in the courts against which the contempt was committed. Without this power the court would be unable to protect and defend its judicial authority and office, and without such power to defend and enforce its mandate in or out of court, its efficiency—its competency—would depend wholly upon the grace of the public.

This landmark of the law, this inherent principle which goes to the very existence of the court, is founded in part on the principle that whoever offends the court offends the majesty of the people, and the summary punishment of such an offense has no personal attribute or aspect. It is a vindication of the majesty of the people which from time immemorial has been vested in the courts.

SUMMARY PUNISHMENT.

The essential element in administering the punishment for contempt, constructive or otherwise, is that it should be summary; to transfer the power to punish to another tribunal is to destroy the efficacy of the punishment.

This creates an atmosphere of personality in the offense which the law has never contemplated. It practically creates an issue between the judge who presides over the court where the contempt has been committed and the person who commits the offense. It compels the judge to become a witness and subjects him to the rights of cross-examination upon a question of law and fact in relation to an act committed against a tribunal where he is himself constituted the judge for the preservation of one of the highest dignities known to the body politic.

Under the bill it would become necessary that cases should be thrice tried, before a court, next before a jury in another court, to determine whether the trial court had a right to have its mandate enforced or not, then an appeal would follow. This would turn the judicial system of our Territory into a farce. Capital would feel unsafe and investments cease in the face of a dismantled court. It would tend to drive out foreign capital, paralyze our present business activities and industries, and imperil our credit at home and abroad.

A COORDINATE BRANCH OF GOVERNMENT.

Under our form of government, State and Federal, while the executive, the legislative, and judicial are its three essential coordinate branches, our wisest statesmen have agreed without hesitation that the judicial holds in its hands, as the ultimate arbiter, the safeguard and security for person and property. And all courts agree that neither one of these coordinate branches shall intrude into the domain of the other; that their respective offices and duties are so separate, distinct, and independent that if they each remain strictly within their constitutional limits there can be no rightful infringement by one upon the domain of the other.

This bill is an attempt of the legislative to enter the domain of the judicial department to rob it of its most sacred and inherent power.

You, as the legislative assembly, have power to investigate the acts and doings of our Territorial officers and their conduct of its public service, and for that purpose to call before you or your investigating committees persons and papers. If that call is arbitrarily disregarded, your assembly has full power to bring before its bar such person or persons so refusing to obey such call or summons for trial for contempt, and if found guilty to fix the punishment therefor. Would your assembly vote this power away from its body? Or stated thus, would the members of your legislative assembly voting for this bill ordain a law making contempt committed against one house triable before the other? Would not such a measure if proposed be strangled before its period of gestation had passed to third reading? Most certainly, because its earliest death would evidence the highest and safest legislative wisdom on your part. You would clearly know that the moment either house surrendered this power to protect itself against contempt by its own judgment it would to that extent lose not only public confidence, but to the same extent would become as a legislative body impotent and in a large degree unable to cope with dishonest officials or fraud in Territorial institutions.

STRENGTHEN RATHER THAN WEAKEN THE COURTS.

In no State in the Union nor elsewhere has the court been stripped of this inherent right of self-protection as this bill provides, but on the contrary the power to punish for contempt is incident to all courts, independent of statutory provisions.

In ancient times there were cities of refuge to which the accused could fly for protection. The modern city of refuge for life, liberty, and property rights is the court. It is of all others the most sacred, because of the safety it gives to persons and property.

How important that it should be strengthened, fortified, and guarded with jealous care, and to make its power absolute in the enforcement of its mandate.

Thoughtful citizens understand that one of the dangers which now threaten our institutions is that courts, instead of being too arbitrary, are not independent enough. There is danger of laxity instead of severity in the administration of public justice. It is well understood that in proportion to the increase of lawlessness and disregard for judicial authority the power of the court and its usefulness will decrease, and in these times of anarchal growth would soon become a hissing and a byword among mobs, riots, and insurrections; in fact, it would soon come to pass that if an injunction were issued in terms unsatisfactory to the defendant he would simply disregard the court's mandate. This, then, would be anarchy indeed.

ANARCHY.

The spirit of this bill develops a most dangerous tendency in line with anarchistic teachings, which propose the subversion of all government, and is only another evidence of the startling strength this spirit has attained. But anarchy can make slow progress while the judiciary maintains its present power untrammeled and is strengthened instead of weakened by the legislative department of the Territory or State, as they stand as a rampart between the ranks of the red flag of anarchy and the patriotic, liberty-loving people, whether rich or poor, high or low.

THE PRESS.

I am not unmindful of the fact that representatives of the press have urged the passage of this bill in the interest of what they believe is for the protection of newspapers of the Territory. I am honestly impelled to the belief that they have not taken into consideration the scope and danger of such a law on the statute books, if the same could be enforced. Even the press itself is endangered by the destruction of the courts, and our institutions and the rights of litigants are in greater danger from the power of the press over the courts (especially if that press be venal) than from the power of the courts over the press.

There is no greater power than the press. It is stronger than the combined forces of the Government, for it creates, directs, and molds public opinion, and public opinion is omnipotent. An honest, fearless, clean press is the greatest boon vouchsafed the people, and is the greatest power for good in every condition of social, commercial, and political life. But a venal press is the most dangerous power in the land. If not checked it can destroy every fabric of government, impair the happiness of the people, desolate the home, ruin reputation, destroy the most sacred and revered institutions, strengthen, embolden, and protect vice in its every form, encourage riots, paralyze the arm of the law by threats and intimidations, libel, coerce, and harass the courts, and thus destroy the confidence of the public in its integrity. The liberty of the press is a great blessing. It is entitled to full protection, but the abuse of that liberty is an evil against which the people have a right to be protected. Newspapers should uphold the courts rather than impair their usefulness.

If courts can be traduced, slandered, libeled, and threatened with respect to cases on trial before them, no one's rights or liberties are longer safe.

The people of Arizona do not desire to have our courts so stripped of protection that the judges may be maligned, threatened, intimidated, or dictated to in the matter of the trial or decision of cases.

It is not their desire that the law shall be so modified or framed that the publisher of a newspaper shall interfere with the orderly administration of the courts, and if a publisher shall thus attempt to interfere it is not desirable that the courts shall be powerless to make him responsible therefor in such time and manner as the mischief he seeks to accomplish may be avoided in a summary manner. The people desire that their causes at law shall be tried by the courts and not by the newspapers.

The courts in this Territory should be strengthened rather than weakened, as commercial, social, and political conditions are in an unsettled and formative state. The population is made up from every section of the land, and as a natural result the restraints of the old settled communities are absent and restlessness and recklessness among its moving population a natural consequence.

Nowhere can the strong arm of the courts produce such salutary results as in these Territories, and nowhere should they be given more power, to the end that lawlessness can be forced into the channels of respect for law and order.

For the above reasons I return herewith council bill No. 46 without my approval.

L. C. HUGHES, *Governor.*

RETRENCHMENT IN THE PUBLIC SERVICE.

There has been most satisfactory progress made on the lines of retrenchment in the public service, both Territorial and county.

The penitentiary and the insane asylum have not only been much improved, but the cost of maintenance has been reduced. During the last two years the cost of the asylum, with nearly one-third more inmates, was $10,890 less than the two years previous.

The Territorial prison, with a larger average attendance during the two years, was maintained at $10,764 less than the two years 1892 and 1893, and improvements valued at $8,000 were added to the prison building by prison labor.

The progress on the lines of economy can be better appreciated when it is shown that for the year 1891 the Territory was called to face a deficit of $42,924.16; in 1892 a deficit of $51,355.73; in 1893 a deficit of $34,282.02. At the close of the fiscal year 1894 there was a surplus in the treasury of $5,832.38, and at the close of the present fiscal year its indebtedness had been decreased $50,485.79, by far the best exhibit made during the last fifteen years, which, in place of a deficit, is a reduction of the public debt.

The last legislature showed a like spirit of economy, and gave le lation which will result in an annual reduction in the cost of the T ritorial government of not less than $30,000 and of county governm over $20,000 annually, and if the policy inaugurated and being carı out is adhered to still greater retrenchment will be made, as well improving the public service.

POLITICAL.

Arizona, with but two political parties in the field (the Democrı and Republican), is Democratic by 1,500 majority. The elections the last ten years demonstrate this fact. The election of 1890 g M. A. Smith for Congress a fraction over 3,000 majority. In 1892 ı majority was reduced to 1,299. In 1894 three tickets were in the fiel J. C. Herndon, Democrat; N. O. Murphy, Republican, and Will O'Neil, Populist. The total vote cast was 13,427, being 1,786 mo re tha 1892, of which Herndon received 4,773, Murphy 5,848, and O Neil 3,(Murphy's plurality being 875.

M. A. Smith is a resident of Cochise County, J. C. Herndon ; William O'Neil of Yavapai, and N. O. Murphy of Maricopa. Tl facts are suggestive.

The following vote for the two elections speaks for itself:

ELECTION NOVEMBER 8, 1892.

Counties.	Delegate to Congress.		Councilman at large.	
	M. A. Smith, Democrat.	W. G. Stewart, Republican.	T. G. Norris, Democrat.	George C Republic
Apache	424	437	431	
Cochise	790	465	635	
Coconino	326	548	475	
Gila	413	275	390	
Graham	646	269	534	
Maricopa	1,368	930	1,311	
Mohave	242	245	217	
Pima	691	638	647	
Pinal	283	258	241	
Yavapai	1,090	953	1,074	
Yuma	197	153	154	
Total	6,470	5,171	6,109	
Majorities	1,299	.....	980	.....

ELECTION NOVEMBER 6, 1894.

Counties.	Delegate to Congress.			Councilman at large.		
	J. C. Herndon, Democrat.	N. O. Murphy, Republican.	W. O. O'Neil, Populist.	J. Campbell, Democrat.	A. J. Doran, Republican.	G. W. Popu
Apache	432	471	70	415	488	
Cochise	340	481	329	401	530	
Coconino	354	441	166	390	459	
Gila	161	118	266	219	140	
Graham	568	456	188	607	462	
Maricopa	1,124	1,331	727	1,266	1,273	
Mohave	111	110	278	154	163	
Pima	556	667	213	593	678	
Pinal	186	304	113	211	326	
Yavapai	813	1,103	523	908	1,146	
Yuma	128	166	133	171	174	
Total	4,773	5,648	3,006	5,335	5,839	
Pluralities	.....	875	.....	.....	504	.....

It will be observed from the foregoing that the increased vote for 1894 over that of 1892 was 1,786; that Murphy's plurality of 875 was a little less than one-half of the increased vote, and his total vote 674 more than the total vote cast for Stewart, the Republican candidate for Delegate in 1892, while Herndon received 1,693 less than Smith in 1892. Murphy lost a total of more than 399 in Coconino, Gila, and Mohave counties, and it is conceded that the Populists did not poll over 500 Republican votes all told, which the totals seem to verify. The counties of Cochise, Gila, Mohave, and Yavapai are all, except Mohave (heretofore strongly Democratic), devoted principally to mining. Three-fourths of the voting population are miners. The silver question was the issue of the Populists, and as a result not less than 2,500 Democratic votes were cast for O'Neil (Populist); and A. J. Doran (Republican candidate for legislative councilman at large), being a pronounced silver candidate, carried a large Democratic-Populist vote.

It is also significant that the counties in which ex-Delegate Smith polled his largest vote gave the Populists the strongest support. The fact is, the Republican candidate polled nearly the entire strength of his party, and it is conceded that in Maricopa and Yavapai counties, where he has a large personal following, he received a total of not less than 400 Democratic votes; so that it is safe to conclude that Arizona, with the two standard political parties in the contest, is safely Democratic.

As an illustration of the effect of the Populist vote on the result of the election, in Maricopa County nearly the entire Republican ticket was elected, yet for the offices of county treasurer and for county surveyor, for which offices the Populists made no nominations, the Democratic candidates were elected by their usual majorities, thus showing conclusively that the bulk of the Populist votes were taken from the Democratic party.

Again, take Cochise, ex-Congressman Smith's home county, in which in 1892 he polled 790 votes and last year Herndon (Democrat) polled only 340, a loss of 450 Democratic votes. Murphy (Republican) gained only 16 votes over Stewart in 1892, and the Populist candidate polled 329 votes. The same result is noticeable in Gila, Pinal, Yavapai, and, in fact, in any Democratic county in the Territory.

SALARIES AND CONTINGENT EXPENSES.

I would again respectfully call attention to the action of Congress with regard to salaries of the Federal officials of the Territories and the contingent expenses allowed for the use of the executive office. The organic law declares that certain salaries shall be paid, yet year by year Congress, without changing the original law, reduces the amount specified by such sum as the public demand for economy may suggest. This is not only an injustice to the officials, but is not in the interest of the public service, inasmuch as it leaves them at the mercy of the National Legislature so far as the question of their salaries is concerned. Similar action is taken with reference to contingent expenses. But one-half of the amount allowed under this head by the organic law is appropriated. This sum is altogether inadequate to the needs of the department, the expenses of which are daily increasing.

The duties of the governor of Arizona have been greatly increased by legislative enactments. He is a member and chairman of the board of control, which has full charge of all charitable, penal, and

reformatory institutions of the Territory, which supercedes three boards of commissioners and is charged with all the duties which belonged to said boards. He is member and chairman of the Territorial board of education, member and chairman of the Territorial board of loan commissioners, and member of the board of regents of the university. The governor is required, with other members of the board of control, to visit all the institutions under its control, as well as to sit with other boards of which he is ex officio chairman. No provision is made for paying his traveling expenses or for the clerk hire these extra duties impose, as the organic act prohibits any other compensation being allowed the governor than that provided by Federal law.

The sum of $500 is appropriated by Congress for contingent expenses. The Territory provides a private secretary, at $600 per annum, and $250 for contingent expenses, making the total appropriation, both Federal and Territorial, $1,350 per annum for all contingent expenses, secretary's stenographer, clerical service of all kinds, including all official correspondence, the preparation of the governor's annual report to the Secretary of the Interior, and all other reports, part of which the executive is now obliged to have done at his own personal expense.

RECOMMENDATION.

I recommend that the salary provided by law for the executive of the Territory be paid in full; that provision be made for the appointment of a secretary to the executive office, and the appropriation for contingent expenses of the office be increased to a sum commensurate with the needs of the same.

STATEHOOD.

The people of Arizona are almost a unit for statehood.

This, of all others, is the most important issue with us. We have earned this right by the conquest and civilization of this region. We have every condition necessary for self-government. Population, wealth resources, and commercial, industrial, educational, moral, social, and religious institutions are all well established. The progress of last year and present conditions all confirm Arizona's qualification for assuming the responsibilities of a sovereign State.

The exports from our mines, ranges, and farms last year aggregated $14,902,321, averaging more than $196 per capita of our population, an evidence of our great wealth resources. The progress made in the development of our mines and the reclamation of arid land to agriculture indicates the energy of our people, and our schools—public, normal, and university—evidence our great interest in education. The growth of churches and fraternal and reform societies show that social conditions are safely anchored.

The retrenchments made and the economy which obtained in every branch of the public service for the year, shown in the reduction of the cost of maintaining public institutions and the reduction of the public debt, emphasize our fitness for self-government.

No stronger evidence can be offered in proof of Arizona's qualification for statehood than is found in the laws enacted by the last legislature, for they bespeak the prevailing opinion of the people. These laws were in line with economy and good government, and will challenge comparsion with the most advanced legislation of any State legislature.

The prosperity of our industrial interests, the large investment of foreign capital in our mining and irrigation enterprises, and the confi-

dence reposed by financiers in the soundness of our public credit are additional proofs of Arizona's fitness for self-government.

The population of Arizona is made up of progressive people of every State in the Union, strongly imbued with American ideas, fixed in the fundamental principle of self-government which inspired the fathers of the Republic, and are moving on the most advanced lines of thought looking to the general good. On every social, moral, financial, and political consideration we are entitled to be admitted into the family of States and to all their rights and privileges. We have earned the right by and through the struggles made, the sufferings endured, and the conquests achieved over Indians, deserts, and uncivilized conditions. What more can we do?

We ask but simple justice—the inalienable right of self-government; and in granting this it will be only recognition of a deserving people who have planted their future hope in Arizona.

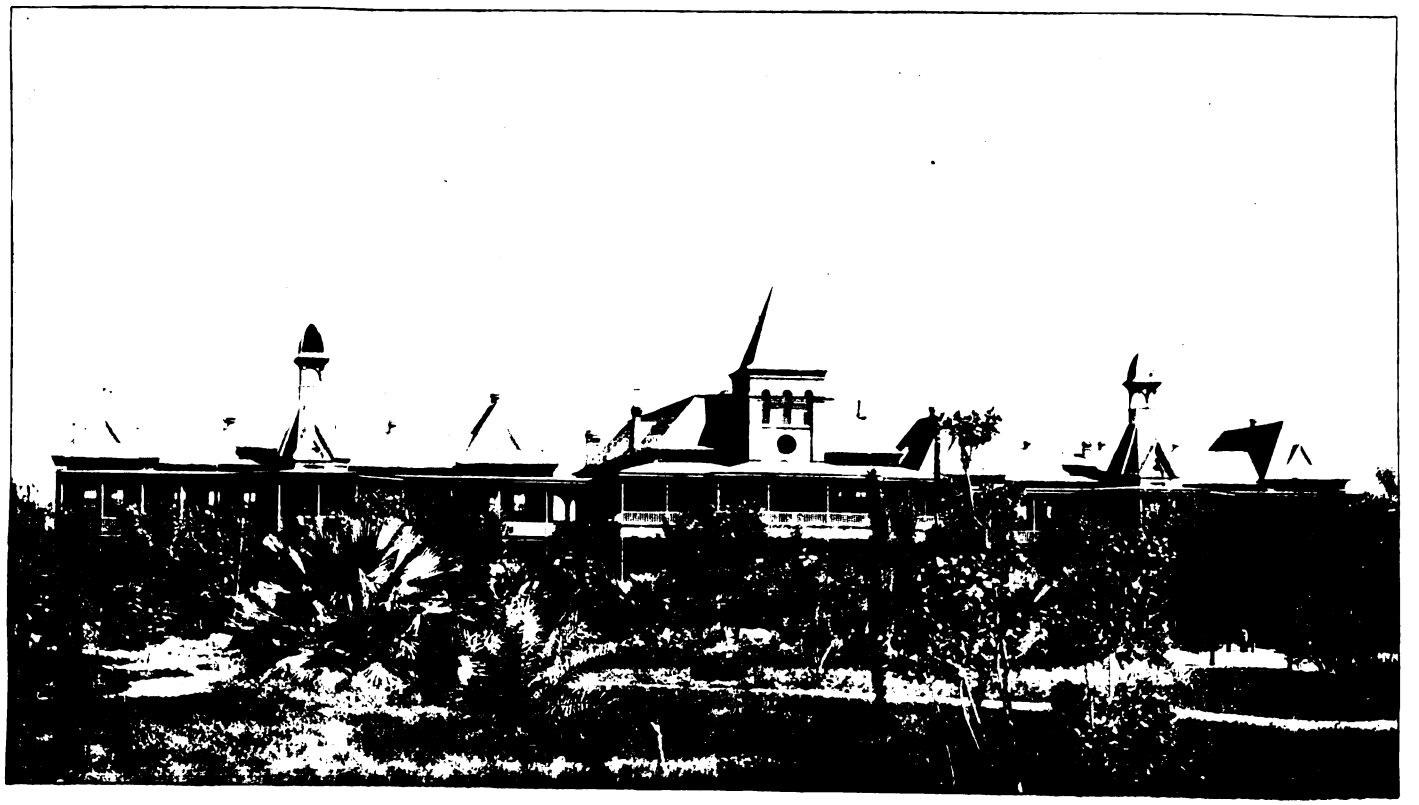
Respectfully,

L. C. HUGHES,
Governor.

Hon. HOKE SMITH,
Secretary of the Interior, Washington, D. C.

SUMMARY OF RECOMMENDATIONS

1. That Arizona be admitted to statehood under an enabling act.
2. Amendment of the Carey arid-land bill, that its provisions may be made available by Territories.
3. That the Salt River and the Gila Bend Indian reservations be set apart for allotment at once for Indian graduates of the industrial schools.
4. Settlement of title of lands in vicinity of Tuba City be made.
5. That south and west boundary line of Navajo Reservation be surveyed and Indians be kept on reservation.
6. That the Government encourage the construction of reservoirs by granting a bonus of lands to those furnishing water to Indians for irrigating their lands.
7. That school accommodations for Indians be enlarged.
8. That jurisdiction of trial of Indians be transferred from Territorial to United States district courts.
9. That San Carlos coal fields be segregated and thrown open to settlement.
10. Appropriation for Territorial militia be increased.
11. That appeals taken from the Court of Private Land Claims to the Supreme Court be brought to a speedy trial. This in the interest of settlement of these lands.
12. Improvement of Colorado River.
13. Measures to restrict liquor traffic in the Territory.
14. That a live stock agent be permanently located at Nogales to inspect cattle when presented for entry.
15. That the Territorial board of education be empowered to lease school lands, the revenue to go to the school fund of the Territory.
16. That a forestry commission be detailed from the United States Army stationed at military posts, charged with the duty of preventing destruction of our forest area.
17. That provision be made for leasing grazing lands under conditions that will protect small holdings, the revenue to go to the Territory for school purposes and payment of the public debt.
18. That the petrified forests be set apart as a national park.
19. That an appropriation be made to aid in the work of the National Irrigation Congress.
20. That direct railway postal service be established between northern and southern Arizona.
21. That the contingent expenses of the governor's office be increased and provisions be made for adequate clerical force.
22. To encourage a national school of science near the Grand Canyon and the cluster of natural phenomena tributary thereto.
23. That the right of way be given to the Gila Valley, Globe and Northern Railway through the San Carlos Indian Reservation. This in the interest of the rich mining region of Gila County and the better control of the Indians.
24. That a board of irrigation engineers be created, consisting of the Territorial irrigation engineer and two United States Army engineers, to inspect all irrigation works, and to require safe construction and repair of same. This in the interest of precaution and to guard against disaster resulting from breaking of dams or irrigating reservoirs.



TERRITORIAL INSANE ASYLUM.

APPENDIX.

REPORTS OF THE MEMBERS OF THE TERRITORIAL BOARD OF IMMIGRATION COMMISSIONERS.

Herewith is transmitted the reports of the Territorial immigration commissioners for their respective counties, with a view to a more detailed account of the resources of the several sections of the Territory, which are therein set forth.

APACHE COUNTY.

By Commissioner W. H. Burbage, St. Johns.

The population of Apache County is about 3,000 souls, an approximate increase for 1895 of 2 per cent.

The taxable property of the county amounts to $960,000, as per assessment for 1895, as follows:

REAL ESTATE.

Land		$230,889
Town lots		13,600
Improvements on town lots		75,000
Total		319,489

PERSONAL PROPERTY.

Horses, 2,500 head	$45,000	
Mules, 40 head	1,000	
Burros, 100 head	500	
Cattle, 15,000 head	130,000	
Sheep, 98,500 head	127,000	
Swine, 145 head	350	
Goats, 245 head	145	
		303,995

MIXED PROPERTY.

Approximate total value	336,000
Aggregate valuation	959,484

For the real value of taxable property add at least 30 per cent to the above figures.

	Acres.
Area of land under cultivation	20,000
Area of land reclaimed during the year	2,000
Area of land capable of reclamation	200,000

The approximate length of irrigating canals in Apache County is 105 miles, the average width thereof being 5 feet and the average depth 1 foot 6 inches. The lateral feeders therefrom aggregate 185 miles in length, with an average width of 2 feet and an average depth of 1 foot. The average fall of water in both canals and laterals is 3 feet to the mile.

There are six reservoirs now under construction, with a capacity to reclaim 20,000 acres.

In addition the county has undeveloped water resources sufficient to reclaim 150,000 acres at a reasonable outlay.

AGRICULTURAL PRODUCTS.

Product.		Amount used.	Value.
Wheat	pounds	650,000	$13,000.00
Oats	do	600,000	9,000.00
Barley	do	175,000	2,187.50
Hay	tons	1,400	12,600.00
Corn	pounds	82,000	12,300.00
Beans	do	28,000	1,120.00
Potatoes	do	300,000	4,500.00
Total			54,707.50

In addition, dairy products of the approximate value of $3,000 and orchard products (from 100 acres in trees) approximately valued at $2,500 were disposed of during the year.

Apples are more successfully produced than any other fruit, but this year the peach crop will be in excess.

Coal is found in vast and almost unlimited quantities, but without transportation facilities the deposits can not be worked at a profit, and are consequently valueless.

SCHOOLS.

Number of schools in the county	10
Number of teachers employed	20
Number of pupils	829
Average school months per year	5½

There are six churches in the county, three Catholic and three Mormon or Latter-Day Saints.

But one newspaper is published in this county, the St. Johns Herald, established in 1878. It is a Democratic paper.

ANCIENT RUINS.

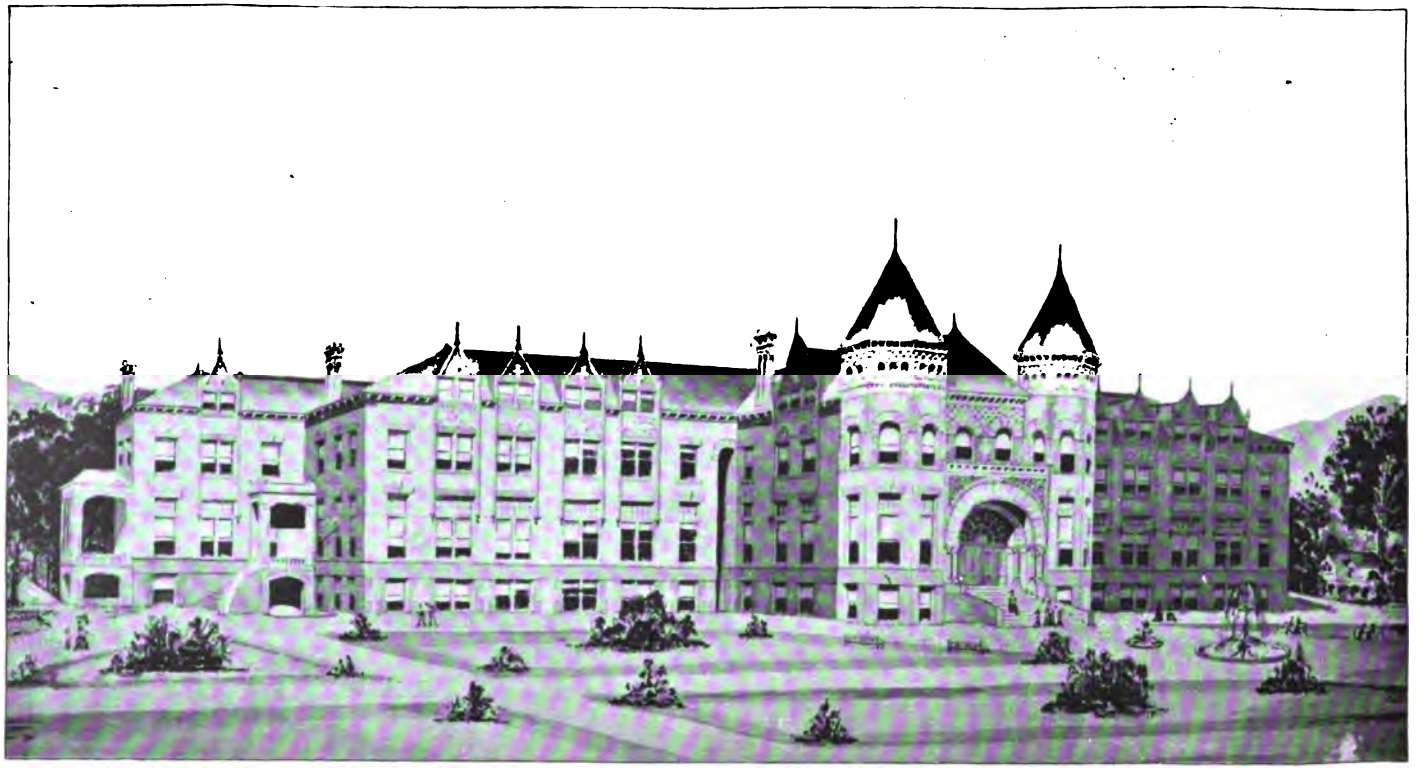
Scattered over the greater portion of Apache County, but more especially along the valley of the Colorado Chiquita River, are numerous ruins of a prehistoric people. In the immediate vicinity and just south of St. Johns are the ruins of two large towns, once containing not less than 3,000 or 4,000 inhabitants each. No doubt exists in the mind of the writer, who has given years of study and investigation to the subject, that these ancient peoples were at first "Phallic" and afterwards Sun Worshipers, as in some of my investigations I discovered splendid specimens, proof of the facts, in the shape of images of both forms of worship, which were carved out of basalt. One of these specimens was 18 inches in length and 6 inches in the thickest part.

Wherever one meets these ruins, either in Arizona or New Mexico, they always show their main or principal entrance to face the east, and all were built of stone, with ordinary mud for mortar. Twelve miles to the south of St. Johns, along the west bank of the river now called San Cosmo by our Mexican people, are other ruins of several towns. On the opposite side of the river from one of their ruined towns, near the summit of a "cerrito," is a large crevice or fissure extending into the cerrito perhaps 60 or more feet, from 2 to 5 feet in width.

During the summer of 1876, in company with a companion, the writer made a partial exploration of this cave or fissure, and found therein hundreds, perhaps thousands, of bows and arrows, baskets, stone axes, and stone hammers, used as implements of war and the chase; also specimens of turquoise used for nose and ear ornaments, periwinkle shells, and a peculiar bead used by all the aborigines of the Americas as "wampum" or medium of exchange. Unfortunately, some years ago an ignorant Mexican set fire to this valuable collection and the entire lot was destroyed.

Still farther south, near the village of Springerville, are other ruins having the same characteristics, which also show these people to have possessed considerable engineering skill, as here we find large reservoirs had been constructed for the storage of the surplus waters of the Colorado River (what is now known as Beckers Lake was one of these reservoirs), and the canal leading from the river to the reservoir is still plainly discernible. As a matter of fact, all over Apache County are to be found very many ruins of this class, not alone on the plains and along the valleys of the various streams, but high among the cliffs, almost inaccessible without the aid of ropes and ladders, we find the dwellings of these primitive people.

However, this is a subject which can not be more than touched upon in so short a paper as this must necessarily be, and the field is comparatively untrodden by the *antiquarian.*



THE TERRITORIAL REFORM SCHOOL.

CLIMATE, HEALTH, AND SPECIAL CLIMATIC ADVANTAGES.

The equable character of the climate of northern Arizona has long been well known to the unfortunate seekers after health of less favored localities.

Nor is Apache County behind the other counties of Arizona in the inducements it has to offer the invalid.

The rarefied atmosphere, still containing a high percentage of ozone, the freedom from sudden changes in temperature, and the absence of violent raw winds render a residence in Apache County peculiarly adapted to those suffering from lung troubles.

Other essentials for a health resort are the not too extreme dryness of the air and the perfect natural drainage of all sections of the county. A practical point of interest to those of limited means is the opportunity for employment of a character not too severe, and requiring a large portion of the time to be passed in the fresh open air.

There is an abundance of cool, pure spring water in every town and village throughout the county, a point of no little importance to the invalid, especially when taken in conjunction with the fact that there is a total absence of pools or swampage of foul and stagnated water.

Owing to the altitude, varying from 4,000 to 10,000 feet, all streams flow rapidly and are well flushed out at different times of the year by the rains and melting snows in the mountains, oxidizing and washing away all decaying vegetable and animal matter and rendering the county absolutely free from any malarial disease.

Asthma is unknown, as also scarlet fever. No case of smallpox or diphtheria has been reported for years. Measles occurs very seldom, and is of a mild character. Chronic lung troubles are almost unknown. Typhoid fever occurs only among those families who possess no pure spring or river water, but use the water from the sluggish irrigating ditches.

With the possible exception of those suffering from rheumatism or neuralgic affections, Apache County can offer to the health seeker a favorable climate, good medical attention, a market from which the table can be supplied with plenty of nutritious food, and the proper kind of employment to those of limited means.

MISCELLANEOUS INFORMATION.

There is one hotel and one saloon in each of the following towns in Apache County: St. Johns, Concho, Navajo, Springerville, and Nutriosa.

The undeveloped resources of the county are lumber and precious minerals.

The wool-scouring industry, woolen mills, and a cheese factory or creamery could be established with every prospect of profit.

There are great opportunities throughout the county for practical men with capital in both lumber and irrigation enterprises, as these are undeveloped or only developed in the most primitive way.

I am indebted to Mr. A. F. Banta for the information under the heading "Ancient ruins," and to Dr. P. M. Cary, of St. Johns, for that contained in the paragraphs under "Climate, health, and special climatic advantages."

COCONINO COUNTY.

By Commissioner Harold W. Roll, Flagstaff.

The population of Coconino County is estimated to be about 5,000, based upon the great register, school census, and other reliable sources.

The taxable property, according to the assessment of 1895, is as follows:

Real property	$1,164,439.53
Personal property	935,016.14
Total	2,099,455.67
Estimated real value	5,000,000.00

The following table shows assessment of Coconino County for 1895:

Upon what assessed.	Number.	Value.	Value of improvements.	Total value.
Acres of land	507,547.19	$229,260.04	$78,387	$307,647.04
Town and city lots	3,034	132,302.49	185,890	318,492.49
Horses	5,460	110,070.00	.....	110,070.00
Asses	33	645.00	.....	645.00
Cattle	40,199	295,409.25	.....	295,409.25
Sheep	195,629	241,322.50	.....	241,322.50
Swine	124	613.00	.....	613.00
All other property	.....	286,956.39	.....	286,956.39
Miles of railroad	116.66	538,300.00	.....	538,300.00
Total value of all property	.....	.....	.....	2,099,455.67
Total assessment for 1894	.....	.....	.....	1,945,560.68
Increase for the year	.....	.....	.....	153,894.99

There is no way of ascertaining the exact area of land now under cultivation in this county, but it is estimated at about 4,000 acres.

Irrigation is not carried on to any considerable extent in this county, and is chiefly confined to the settlement at Tuba City, a Mormon colony on the Little Colorado River, about 100 miles northeast of Flagstaff.

There are many thousands of acres of fertile lands suitable for the agriculturist. These lands are mostly covered with a heavy, clear growth of pine timber, with frequent open valleys. The timber is free from underbrush, making it easy to clear the land for cultivation. The cereals—wheat, oats, barley—also potatoes of fine quality, yield large crops and find ready market. Potatoes yield 4 to 6 tons per acre, without irrigation.

Owing to the want of flouring mills grain is usually raised for hay, which in the local market sells readily at $20 per ton.

Stock raising is one of the main industries of the county. Above is a table showing the number of live stock and assessed values thereof, the real values being probably double the amount given.

The school census of the county for 1895 shows 552 children of school age, divided among the school districts as follows: Flagstaff, 230; Williams, 168; Bellmont, 13; Frisco, 20; Tuba, 42; Fredonia, 62; Moen Ava, 17. The increase over 1894 was 83. Number of teachers employed in the county, 10; average school term, 9 months; average salary of teachers, about $85 per month.

In my opinion, the Government lands of this county offer one of the best opportunities now open to the intelligent and industrious farmer to make a good home and profit by his labor. All farm products find a ready home market at prices that should prove very remunerative. Where wells can not be had and natural springs are not convenient the construction of cisterns would supply abundant water for domestic use.

Within Coconino County about 2,000,000 acres are covered with a dense clear growth of pine; the pine stumpage of Coconino County is estimated at 8,000,000,000 feet. The lumbering industry is therefore of great importance here, and gives employment to hundreds of men. Much of the timber land is yet public domain and open to settlement under the homestead act. In the northwestern part of the county the Government has set aside as a national park an area of about 2,893 square miles, known as the Grand Canyon Forest Reserve. The Colorado River flows through it, and it embraces the most striking features of the Grand Canyon.

Church denominations represented in the county at present are the Catholic, Presbyterian, Methodist, Episcopal, and Mormon, the latter at Tuba City only. The three first named have substantial church edifices at Flagstaff; the Catholic and Methodist also at Williams.

There are three newspapers in the county—the Flagstaff Democrat (Democratic), at Flagstaff, issued every Monday; the Coconino Sun (Republican), issued at Flagstaff every Thursday, and the Williams News (Republican), issued Saturdays at Williams.

The wonderful natural attractions—notably the world-renowned Grand Canyon of the Colorado River—in this county annually attract many tourists from all parts of the world. The ancient ruins of the cliff and cave dwellers, Montezuma's well, the Natural Bridge, bottomless pits, and numerous other points of interest are within easy reach of the sightseer from the principal railway stations in the county. The climate of this county is healthy and invigorating, and the cool summer climate at this elevation (6,000 feet) is delightful.

The county is really rich in minerals, but as yet, for want of transportation facilities, there are no active mining operations. There are immense deposits of splendid

coal; also black onyx, and in the Grand Canyon perhaps the richest copper deposits on the continent, as well as gold and silver.

The beautiful Arizona sandstone quarried at Flagstaff is admired as the material of which many of the finest buildings in our large Western cities are constructed. This industry is an important one.

There are at present in the county four hotels, besides a number of lodging and rooming houses, sixteen restaurants, and eighteen saloons or places where liquors are dispensed.

The following are, I believe, industries that could be established with profit: A sanitarium, modernly equipped for the treatment of hay fever and lung diseases; a wool-scouring mill; a flouring mill on a small scale; a furniture factory; a brewery; a railway to the Grand Canyon and the coal fields.

It is my belief that the people of this county are a unit in favor of the immediate admission of Arizona to statehood.

COCHISE COUNTY.

By Commissioner William H. Hattich, Tombstone.

Cochise County is situated in the southeastern part of Arizona; is 83 by 84 miles in area, and contains 6,972 square miles, an area 5¼ times greater than the State of Rhode Island, 3¼ times greater than Delaware, and 1½ times greater than the State of Connecticut.

It is situated on the Continental Divide, between the Pacific Ocean and the Gulf of Mexico, the highest altitude along the Southern Pacific Railroad from San Francisco to New Orleans being at Dragoon Summit, the altitude being about 3,800 feet above sea level.

The San Pedro River has a watershed of 25 by 28 miles in Sonora, Mexico, and in Cochise County a watershed of 25 miles in width by 80 miles in length, or a total, including Mexico, of 25 by 108 miles, or 2,700 square miles, of which 2,000 square miles are in Cochise County, which waters flow through Cochise County. The San Simon Creek drains a watershed of 36 miles in width and 40 miles in length, or an area of 1,440 square miles. The Sulphur Spring Valley drains an area 30 miles in width by 90 miles in length, or an area of 2,700 square miles; this valley, like the San Simon, having a sandy soil, carries a broad underground stream a few feet below the surface throughout the greater portion of its length. The foothills on each side of the mountains are covered with nutritious grasses most of the year which render it valuable for grazing purposes. San Simon Valley and San Pedro Valley, as well as the Sulphur Spring Valley, are covered with a luxuriant growth of grass, which makes them the finest cattle ranges in Arizona.

RESERVOIR SITES.

In the San Pedro Valley there are but two points where reservoirs can be built to advantage. First, on the lower portion of the valley, at a point where the foothills come close together with solid rock upon each side and bottom. At this place, about 15 miles below or north of the town of Benson, a dam 350 feet in length and 40 feet high will overflow an area of a mile square and average 10 feet in depth, or a storage capacity of 278,784,000 cubic feet. The area of bottom land and low table-land in Cochise County that could be irrigated by the construction of this dam would be over 3,000 acres. The second reservoir site on the valley is 1½ miles above Charleston and 26 miles above Benson, where the foothills come down to the river, forming solid rock banks 100 feet high, where a dam of 60 feet in height and 400 feet long would store over 300,000,000 cubic feet of water.

There are several points along the San Pedro River upon the west side where storage reservoirs could be built, notably at a point that is known as Page's Canyon, which drains from the southerly portion of Happy Valley. At this point the canyon is narrow and walls solid, where a dam 160 feet in length and 75 feet high will store over 200,000,000 cubic feet of water and bring under cultivation over 2,000 acres.

ARTESIAN WATER.

At St. David, a thriving little settlement in this valley, five artesian wells are giving forth the life-giving fluid in a steady flow, and are being used to irrigate a vast amount of land.

This portion of the county gives the best indication, from its surroundings, for the sinking of artesian wells, with which these large areas could be irrigated with but a very small loss from evaporation.

MINING.

Cochise's foremost industry is mining. It is the banner mining county in the Territory, and has earned a national reputation through the marvelous richness of its ore bodies and dividend-paying mines. To prove this fact mention need but be made of the number of the big mines which have paid millions in dividends. Without dwelling on the geological features, history, discoveries, etc., a brief résumé of the notable mines of the county which have been producers will not be amiss.

Many of the silver mines are at a standstill owing to the demonetization of silver, and those mines which have ranked with the greatest silver producers of the West are but waiting for the turn of the tide of the white metal and favorable legislation to again resume former prosperity.

In the Tombstone district, among the notable mines the Tombstone Mill and Mining Company stands prominent. It has operated a number of mines in its group, having at different times employed a large number of men, and is continuing work on a systematic scale and shows a brilliant record. Over $8,000,000 has been produced by this company since it commenced operations, and it now owns the following mines, all of which have extensive mining machinery and hoisting works erected upon them, viz: Toughnut, North West, Lucky Cuss, West Side, Fifth Street, besides other minor claims. The company also owns a 20-stamp mill.

The Contention Company has paid over $3,000,000 dividends and produced immense wealth. The consolidation of the Western Mining Company and the Flora Morrison Sulphuret was consummated in 1881, under the name of the Contention Company, and in 1883 the total dividends of both companies amounted to $2,475,000. The company also owns a 25-stamp mill located on the San Pedro River. There were erected on the Contention and Grand Central mines two colossal pumps, each with a capacity for pumping about 1,000,000 gallons every twenty-four hours, to cope with the water in the lower levels, but fire destroyed both mines and pumps. With silver at the present low price it does not justify the company to begin operations and replace the expensive machinery, but with remonetization of the white metal some developments to that end may be looked for, as the mines are yet but in their infancy.

The Grand Central Company of Youngstown, Ohio, controls valuable properties in this district. This company has produced dividends running into the six figures, and is one of the leading companies in the district. It owns the following mines, all well equipped with operating machinery and each of which has produced many thousands to the owners: The Grand Central, Emerald, Comet, State of Maine, Silver Thread, and other groups. It also owns a 35-stamp mill. None of the mines are being worked by the company at present.

Other mining companies in Tombstone district of note—all of which have steam hoists and own stamp mills—are the Sterling Silver Mine and Milling Company, Old Guard Company, and Watervale Mill and Mining Company. Many of the mines of the district not operated by the companies owning them are leased to chloriders, and royalty is paid by the latter on all ore extracted, and thus a number of miners are employed; the cyanide system of working low-grade ore is much in use, and has proven a success.

At Turquoise mining district several turquoise mines are in operation and producing handsome gems. Two companies of means are operating here, and their mines are proving dividend payers. Several silver mines are located in this district, the Turquoise Mining Company having a mill located near Soldier Hole.

In the Huachuca Mountains the Copper Glance Mining Company is continually working, being equipped with necessary machinery and making regular shipments of concentrates monthly. This is a good property, and is improving steadily, bringing handsome returns for its owners.

The Dos Cabezas gold district possesses many good properties, and is becoming an important factor in Cochise mining. The Cotton Wood Mining Company and Casey mining properties are two important mines in the district. Both companies own mills.

The Pierce mining district, a new gold discovery which recently sprung into prominence, is one that will command the attention of all on account of the immense showing of rich ore that has been brought to view, and from indications this camp will rival some of the best producers in the West. A village called Fittsburg has sprung into existence here, and with extensive work by some company on these properties the village will eventually bloom into a thriving city.

At Bisbee is the great copper camp. Cochise has one of the leading copper producing mines in the United States, if not in the world. The mines and smelters are worked day and night, and employ about 1,000 men. The immense bodies of ore yet untouched give assurance that this great producer will continue yielding copper bullion for a century to come. An idea of the immensity of the work and production of this great company can be better gained by the statement of the fact that the average daily product of the mine is nearly 37,000 pounds. The total production of the company to July, 1895, is 147,730,659 pounds.

CLIMATE AND POINTS OF INTEREST.

The climate of Cochise County can not be surpassed. There is no better evidence of the virtue of our climate than the proverbial healthfulness of our people. Prehistoric ruins are to be found in different parts of the county, while Cochise Stronghold, the rendezvous of the famous Indian war chief of the Chiricahua Apaches, is here to be seen, a natural fortress, with scenery varied and attractive. The Huachuca Mountains, Chiricahua, Mule, and other mountain ranges are all easy of access to the lover of natural scenery, where may be found scenery unsurpassed by that of any other section of our Territory. Fort Huachuca, the principal military post in the Territory, is located in a most picturesque spot at the north end of the Huachuca Mountains, and commands a view of the surrounding country for miles.

SCHOOLS.

The school census of the county shows that there are at present upward of 1,211 children of school age, with an average attendance of 942. There are eighteen schools within the county and twenty-six teachers. The average school term has been a little over six months. The teachers are among the best and brightest in the Territory, many of them being graduates from the schools in this county, and will compare favorably with those of other sections of the Territory.

TOWNS AND BUSINESS HOUSES.

The cities and villages of Cochise County number ten, viz, Tombstone, Bisbee, Fairbank, Willcox, Dos Cabezas, Bowie, Turquoise, Huachuca Siding, and Fittsburg. Saloon licenses number 34, restaurants 23, butchers 13, merchants 55. The newspapers of the county are generously supported and do valuable work in calling attention to the resources of the county. Tombstone publishes the only daily paper in the county, the Prospector. The Tombstone Epitaph and the Arizona Kicker, at Willcox, are published semiweekly, and the Sulphur Valley News and Willcox Stockman are issued weekly.

ABSTRACT OF ASSESSMENT ROLL.

The following is the abstract of the assessment roll for the past year:

Description of property.	Number.	Value.	Value of improvements.	Total value
Acres of land	10,011	$42,725.50	$17,920.00	$60,645.50
Town and city lots	1,039	93,982.50	407,248.75	501,231.25
Horses	2,875	41,338.00	.....	41,338.00
Mules	218	1,155.00	.....	1,155.00
Asses	52	340.00	.....	340.00
Cattle	52,162	358,964.00	.....	358,964.00
Sheep	5,620	7,740.00	.....	7,740.00
Goats	858	1,273.00	.....	1,273.00
Swine	237	684.00	.....	684.00
All other property	.....	394,258.89	.....	394,258.89
Miles of railroad	175.67	827,350.00	35,630.00	862,985.00
Total value of all property	.....	.....	.....	2,230,609.64

GILA COUNTY.

By Hon. George W. P. Hunt, Globe.

Gila County was formed from portions of Pima and Pinal counties in 1881. Since then a small strip has been added on the north from Yavapai. It is a compact mineral county, crossed in all directions by detached mountain spurs, while its rolling uplands are covered by a fine growth of grass. The Pinal Range, which crosses the county south and west, is heavily timbered, while the Sierra Ancha and the Mazatsal ranges on the north have a heavy growth of pine, oak, and juniper. The Salt River flows through the northern portion of the county, where there are some flourishing agricultural settlements. The Gila River washes its southern border. Every mountain and peak is rich in minerals, and fine stock ranges are found in every direction, but the largest and best portion of its farming lands are within the San Carlos Reservation.

POPULATION.

The population of the county, estimated from the most reliable sources attainable at this time, amounts to about 3,500.

PUBLIC SCHOOLS.

Our school census is as follows:

School districts	16
School teachers	16
School children enrolled	462
Average number of months taught during the year	8
Average pay of teacher per month	$70

FRATERNAL SOCIETIES.

The Independent Order of Odd Fellows, Independent Order of Good Templars, Ancient Order of United Workmen, Knights of Pythias, and Masonic societies have flourishing lodges.

TAXABLE WEALTH.

The taxable wealth of the county from all sources for the year ending June 30, 1895, amounts to $818,630.

AGRICULTURE AND HORTICULTURE.

Wheat, barley, corn, and alfalfa are some of the leading agricultural products of the county, while in fruit growing and gardening we are able to show as fine products as are to be found in this or any other country. All these products find a ready market at home in the towns and mining camps. These industries are in their infancy, so to speak, but in the near future are destined to become of vast and permanent importance.

CANALS AND RESERVOIRS.

As yet we have only a few small irrigating canals in operation. No finer field for capital could be found in the Territory than is presented here in Gila County for enterprises of this kind. Reservoir sites are numerous on Salt and Gila rivers and in tributary streams flowing through narrow canyons.

CLIMATE AND NATURAL OBJECTS OF INTEREST.

Gila County abounds in natural wonders. In the northern part of the county is situated a natural bridge, spanning Pine Creek. In dimension and grandeur it by far exceeds the great Natural Bridge of Virginia. Under this bridge are numerous caves, some of them as yet unexplored. In this part of the county are also found many beautiful waterfalls and wonderful springs, some of them of sufficient capacity to drive the heaviest machinery.

On the San Carlos Reservation are some hot springs, believed by the Indians to possess wonderful curative properties. Our climate can not be excelled, and sickness of any kind is the exception, not the rule. With our health-inspiring climate, splendid mountain scenery, wonderful natural objects of interests, and relics of a bygone race known as cliff dwellers, our beautiful mountain streams well stocked with trout and other fish, our mountains and valleys with an abundance of deer and other wild game, Gila County presents unrivaled attractions to the health seeker and summer tourist.

TOWNS AND VILLAGES.

Globe, the principal town of the county, is the county seat. It is pleasantly situated among the rolling, grassy foothills of the Pinal Mountains. It has about fifteen mercantile houses, two hotels, restaurants, saloons, lumber and feed yards, blacksmith and wagon shops, etc. The town sprang into existence after the rich mineral discoveries in 1876. It is the supply point for nearly the entire county, and has a population of about 1,500.

Payson, in the northern part of the county, is a prosperous mining camp, and is also headquarters of a large cattle district.

CHURCHES.

Nearly all orthodox creeds are represented in the county. Several have commodious church buildings.

MINING.

The principal and most important industry of Gila County is mining, and from the south end of the county to its northern boundaries mineral abounds. From the first discovery and opening the mines have been noted for their richness and variety.

The pride of the county is the Globe mining district. Here are vast copper mines which have produced steadily for years, and their richness and quantity may be better understood when it is known that coke had to be hauled a distance of 150 miles from the railroad. The best producer has been the Globe mine, which has been worked steadily for the past ten years and produced 65,000,000 pounds of ingot copper direct from the furnace, 98.5 fine, valued at $6,500,000. This output has been used mostly for casting purposes, and the principal part shipped to European markets. The present company expects to largely increase its output, and before long Gila County will take precedence in the exporting of copper from the Territory. The Bisbee Company also has extensive mining interests, and expects to commence operations as soon as the railroad reaches here. The northern portion of the county, near Payson, is a rich gold-producing section. Already three stamp mills have been erected, and the only thing that retards that section is its isolation.

The dawn of prosperity is not far off. The Globe, Gila Valley and Northern Railroad Company is now running from Willcox, on the Southern Pacific Railroad, to Camp Thomas, 65 miles distant, and the completion of the road is assured early in the year of 1896. Then Gila County will take rank as one of the richest counties of our fair Territory.

Gila County is the only county of Arizona which has no railway crossing its boundaries, and its progress has been further retarded by the White Mountain Indian Reservation, in whose borders are situated the San Carlos coal fields, the only deposit of that mineral in southern Arizona, and its early segregation by Congress has been anxiously awaited by the people of the county, for the opening and development of the coal industry is of great importance to the people of the Territory.

CATTLE.

Next to our mining industries comes that of cattle raising. Nearly 20,000 head of cattle have been sold off the ranges this year, bringing in a revenue of over $200,000. Although the sales were large this year, the annual exports of cattle will always be considerable. Gila County has a glowing future, and her citizens will take rank with any in the Territory. Their industry and hospitality are proverbial, and the stranger traveling within her borders is struck by their kindness and generosity.

GRAHAM COUNTY.

By Commissioner George H. Kelly, Solomonville.

Graham County lies in the southeastern part of the Territory. Its area is about 7,000 square miles. It is bounded by New Mexico on the east, Cochise County on the south, Pima, Pinal, and Gila counties on the west, and Apache County on the north. The Gila River passes through the entire county from east to west, dividing it into nearly equal parts. It lies entirely in the region of the great plateau of the Rocky Mountains. The elevation is from 3,000 feet in the lowest valleys to 4,000 feet on the elevated table-lands and mountain valleys. The Pine Lands, or Graham Range, crosses it from northwest to southeast. Mount Graham is 10,318 feet above the sea level; Mount Trumbull but little less. This range is fairly well timbered with pine, spruce, juniper, and fir, and a variety of hard woods. The Gila Range passes through the county to the north of the Graham Range and parallel to it. The latter has no timber worth mentioning, and is quite deficient in spring water.

Grass abounds in all the mountains in moderate quantities, and is utilized by stockmen as a range for their herds.

Cattle raising has always been one of the principal industries of the county. Agriculture is now ahead, but there are probably 100,000 head of cattle yet on the ranges, the number having been greatly reduced during the past two years. For a limited number of cattle Graham County affords the best range in the Territory. Cattle support themselves, and with an average season they make the finest of beef. Where living water can not be had it is furnished from wells, windmills supplying ample power for pumping at moderate cost. Cattle require but little attention on the range. Beef cattle are marketed in California, and those not suitable for beef are shipped to Kansas, Wyoming, and Montana, where they are pastured and fed.

Horses also do well on our ranges, and sheep raising is profitable, though but few have engaged in it.

In 1873 the first canals were dug and land cleared for farming in the Gila Valley. This valley is the second largest in Arizona, which has an ample supply of running water for irrigation, extending from a point 9 miles above Solomonsville to San Carlos, a distance of some 70 miles. That part of the valley below Thomas, 30 miles in length, is on the San Carlos Reservation, and is only cultivated in a crude way by Indians. Above Solomonsville the population is mostly Mexican, but the land is very fertile, and the crops of barley, corn, wheat, alfalfa, etc., are large.

Hundreds of families who came here penniless and took a homestead on Government land to-day are the possessors of comfortable homes and profitable farms. There is yet a limited amount of Government land which can easily be brought under irrigation and cultivated. To clear, fence, and secure a water supply for land will cost from $10 to $20 per acre. It will produce annually from 30 to 50 bushels of wheat, corn, or barley, or from 7 to 10 tons of alfalfa hay. A crop of barley and a crop of corn may be raised on the same land in one year. Corn is not cultivated, the only labor required being the planting, irrigating, and gathering.

The lands along the streams are alluvial bottoms, and very fertile. The mesas or table-lands are good soil, but the running streams for irrigating them are lacking. The Gila Valley contains the largest body of land that can be irrigated from a running stream. It will average 2 miles in width in bottom land. The slightly elevated table-land extends from the bottoms from 2 to 6 miles to the high mountains. In time it is supposed much of these table-lands will be reached by an irrigating system, and prove them to be equally productive with the bottoms. Especially are they adapted to fruit culture, being in the thermal belt and less subject to late frosts. All the crops adapted to the temperate zone are grown here to perfection.

The opportunities and conditions are excellent here for an irrigation enterprise. The work would consist of a large canal from the Gila, at a point where it comes through a box canyon with a solid rock bottom, building storage reservoirs for holding surplus water to be used during low water in the river. By this much of the mesa lands would be reclaimed and at least 75,000 acres of new land could be brought into cultivation.

The population of Graham County on June 30, 1895, on a close estimate from the great register and school census, is not less than 8,500, and it is gradually increasing, many recent comers being of a desirable class.

The total amount of taxable property—real, personal, and mixed—is $1,833,666.54, an increase of $275,000 over last year. The actual value of the property, if all listed, would not fall below $3,000,000.

The amount of land actually in cultivation now would probably not exceed 15,000 acres. About 1,000 acres of new land was cultivated for the first time this year. The amount of land under canals is estimated at not less than 35,000 acres; all this land is either patented or occupied by settlers under the homestead laws. Every acre of this land could be irrigated by the waters of the Gila River, and the supply would be ample for a crop of wheat, barley, oats, etc. With water storage—the opportunities for which are many and favorable—50,000 acres more of rich and fertile land could be reclaimed on the mesas that border the Gila Valley.

The principal canals in the Gila Valley in Graham County are the San Jose, Montezuma, Union, Central, and Oregon, though there are a great many smaller ones, under all of which agriculture is making good progress and the farmers gradually making comfortable and prosperous homes. The following is a list of canals and ditches, their length, and the amount of land lying under them:

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Michelena ditch	4	600
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Union Canal	11	4,500
Sunflower Canal	3	600
Graham Canal	5	2,000
Central Canal	9	4,600
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Mathews Canal	5	2,000
Curtis Canal	6	2,000
Kempton Canal	4	600
Maxey Canal	11	5,000
Fort Thomas Canal	2½	1,500
Thompson ditch	3	800
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By Thompson Bros., canal 1½ miles long, which will irrigate 240 acres; by George F. Kilmer and others, 1½ miles long, covering 320 acres; by Ratcliff & Southlee, 4 miles long, covering 640 acres; by J. H. Thompson, 2½ miles long, covering 320 acres.

In the vicinity of Duncan a new canal was begun by Ben Echols and others, which, when completed, will be 7 miles long and will reclaim about 1,500 acres of rich land.

The Montezuma and Union canals are the largest, and are about 12 feet wide on the bottom. These canals are all owned by farmers who own the lands under them. The owners usually incorporate themselves into stock companies, as they find it much easier to manage their affairs that way.

The cost of maintaining the canals varies according to the amount of flood waters coming down from the mountains, but the cost of water to those owning rights in the canals will not exceed 75 cents per acre in any year, and the average is less than 50 cents per acre.

Alfalfa is about the only hay crop raised. It is very profitable. It is cut five and six times a year, and yields about 1½ tons to the acre at each cutting. The price ranges from $5 to $10 per ton.

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For eight months in the year the water supply in the river is abundant to irrigate all the desirable lands that could be covered by it, and will furnish a surplus for storage sufficient to guarantee the farmer against drought at all seasons.

No effort has ever been made in this county to secure artesian water.

The products here, in addition to alfalfa hay, are corn, wheat, barley, oats, beans, chili, onions, potatoes, and all the vegetables; also fruits and berries, except the tropical. It is too cold here for oranges, lemons, or even figs. The hardiest fruits, apples, pears, plums, etc., are found to be the most profitable and certain. Apricots and early peaches are not a certain crop, owing to the late frosts in the spring.

There is no means of making correct estimate of the number of acres planted to fruit, but a conservative guess would place it at 1,500 acres.

By the assessment rolls it is found that there are now in Graham County:

	Number.	Value.	Increase during year.	
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Cattle	67,992	$510,413	18,986	$156,628
Horses	3,813	101,183	2,648	57,597
Swine	787	2,458	218	754
Goats	1,344	1,888	619	1,103

The stock in this county is good quality, and the real value would, on all except cattle, be one-third more than the assessed value. Cattle on the range are assessed for their worth, but there are probably 50 per cent more cattle in the county than appear on the assessment roll.

The principal mining industry in this county is carried on at Clifton and Morenci, and there are no others in actual operation worthy of mention, though it is believed that with development work the mines of the Lone Star, Clark, and Aravaipa districts would prove to be rich in gold, silver, copper, and lead.

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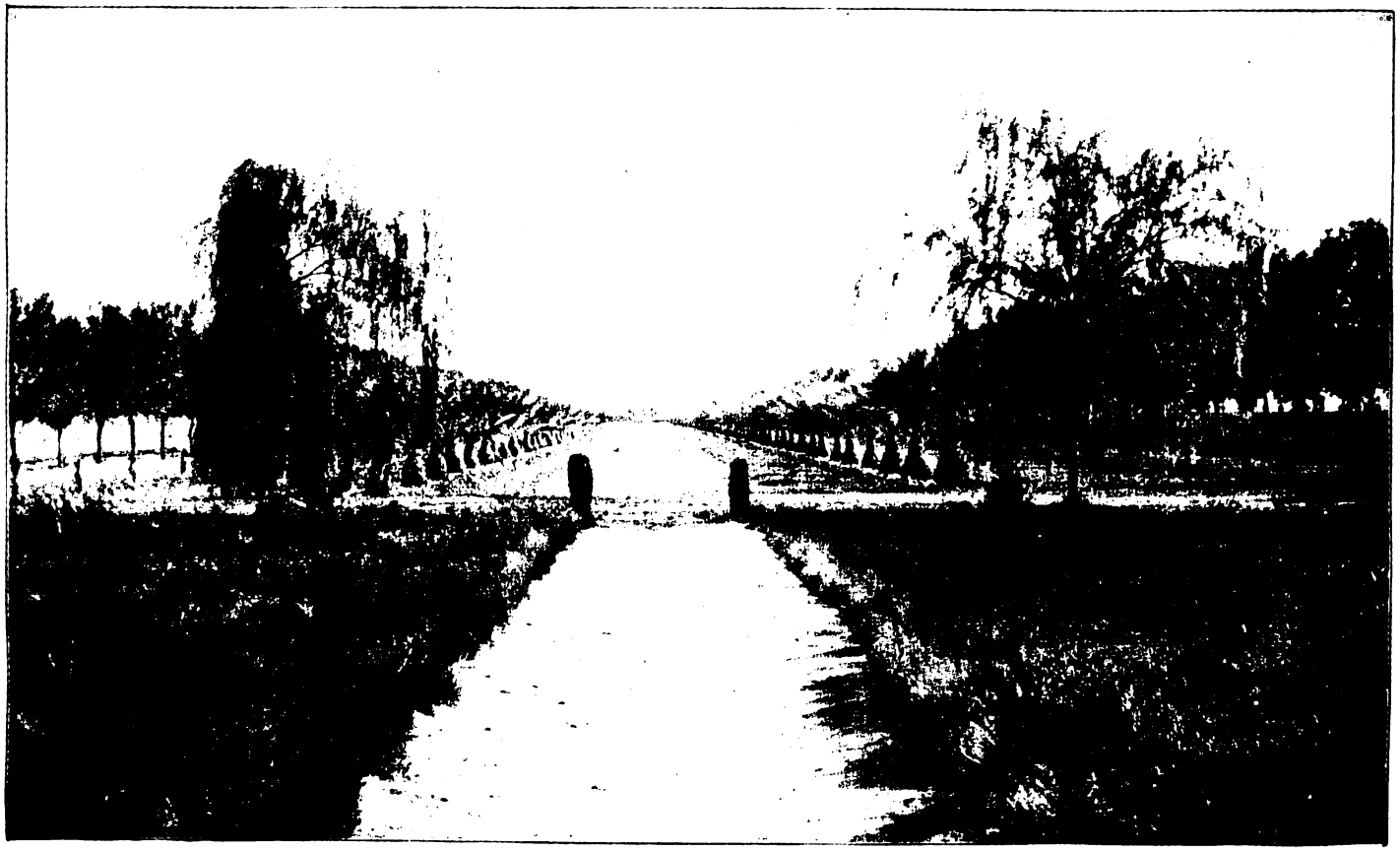

640-acre Fruit Ranch (W. H. Bartlett, Chicago) near Peoria, Salt River Valley, Arizona.

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The lands to be reclaimed by these great enterprises are all of the very finest quality. A visit to the Chamber of Commerce rooms of this city will at once convince the most skeptical of their value and capabilities. There can be shown—all grown in this county and of the finest quality and flavor—oranges, lemons, peaches, apricots, bananas, olives, pomegranates, apples, plums, strawberries (of which large quantities are shipped out of the county each year), raisin and table grapes, almonds, English walnuts, pecans, melons, peanuts, and small fruits in almost endless variety; while at our mills, markets, and storehouses can be shown wheat, corn, barley, potatoes, sugar cane, alfalfa, baled hay, and nearly every specimen of table vegetable known to a temperate and semitropical climate.

There are at the present time not less than 9,000 acres devoted to horticulture. The amount and value of products I am unable to give.

The following table will show approximately the number of acres devoted to the above products, etc.:

	Acres.		Acres.
Wheat and barley	90,000	Apples	25
Alfalfa	95,000	Figs	246
Miscellaneous crops	12,000	Oranges	1,500
Vines, raisin and other grapes	4,500	Lemons	7
Apricots	1,250	Pomegranates	31
Peaches	700	Blackberries	5
Pears	500	Quinces	16
Almonds	450	Grain hay	20,000
Strawberries	600	Sugar cane and sorghum	5,000
Plums	70	Timber culture	11,000

BEE CULTURE.

Bee culture has been found to be a most pleasant and profitable occupation in this valley. Pasturage is practically unlimited. There are now in this county about 6,000 stands of bees and the average product is about 100 pounds of honey per stand. It is of the finest quality and flavor and finds a ready market in Eastern cities. Last year there were shipped out of this county about 460,000 pound of honey.

DAIRY AND DAIRY PRODUCTS.

The dairy business is extensively engaged in. The value of dairy products for the fiscal year ended June 30, 1895, gathered from the best sources of information to be had, amounted to about $100,000.

RESERVOIR SITES.

There are many reservoir sites in the county. Three of large capacity are now under construction. The Hudson Reservoir Company has located and surveyed the Box Canyon on Salt River. This enterprise is of great magnitude, and should receive Government aid. When completed, the great question of a permanent water supply for the entire Salt and Gila valleys will be solved.

CHURCHES.

The following denominations have active organizations in the county, and some fine church edifices have been erected. The church edifices, by denominations, are divided as follows:

Methodist Episcopal Church South	8	Congregational	1
Methodist Episcopal	6	Dunkard	1
Baptist	4	Catholic	2
Episcopal	2	Mormon	2
Presbyterian	2	Salvation Army	1
Free Methodist	2		

There are in the county one Masonic lodge, three Odd Fellows lodges, one Foresters lodge, one Knights of Pythias lodge, and one lodge of the Ancient Order of United Workmen.

INDIAN SCHOOL AND RESERVATIONS.

There are three Indian reservations in the county, the Papago, at Gila Bend; the Pima, in the southeastern part of the county, and the Maricopa, near Phœnix. At Phœnix the Government has erected large and commodious school buildings for the exclusive use of these Indians. The interest manifested in them by the Government and all religious denominations and the eagerness shown by them in adopting

PEACHES, 2 YEARS OLD, GLENDALE, SALT RIVER VALLEY, ARIZONA.

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The works of the Arizona Copper Company are situated on the San Francisco River, at Clifton, and the mines are from 4 to 9 miles distant. An elaborate system of mining tramways and gravity inclines connect the mines with the metallurgical plant, three locomotives being constantly employed in feeding the plant with raw ores and transporting the coke, merchandise, and copper of the Detroit Copper Company. The principal mines are the Longfellow, Detroit, Joy, and Metcalf. Of these, the Longfellow is the most famous, having been a steady producer for over eighteen years. The more profitable ores occur in a lime and porphyry contact. This company gives employment to 600 men. It pays out in wages over $400,000 annually. It treats 170 tons of ore per day, and is producing 340 tons of copper per month; it pays about one-fifth of the entire taxes of the county, $12,000 a year. Two years ago this company added to its plant for the treatment of its low-grade ores a sulphuric acid works, with a capacity of 10 tons of strongest sulphuric acid per day, this being the first of its kind in the country. A leaching plant, equipped with lead-lined pipes and tanks and the latest improvements, with a capacity of 100 tons low grade ore per day, is also in successful operation and yielding 120 tons of copper per month.

The Arizona and New Mexico Railroad belongs to the same company, and runs from Clifton to Lordsburg, on the Southern Pacific Railroad, a distance of 71 miles, 41 miles being in Graham County. It is a narrow gauge, and is used exclusively in the work of the copper camp. It gives employment to 70 men. Without this road it would be impossible for the copper mines to continue operations.

The Detroit Copper Company has a plant consisting of four blast furnaces, with a capacity of 220 tons per day; also a concentrating mill of 100 tons capacity. The plant and pipes are all located at Morenci. The water supply is pumped from the Gila River, a distance of 7 miles. The Detroit Copper Company has been a steady producer for ten or twelve years.

The elevation of the Gila Valley in Graham County is about 3,000 feet; the climate is not so warm as the other large valleys in Arizona, which are much lower. In hottest summer the mercury rarely reaches more than 100, and 105 is about the limit. In winter snow not infrequently covers the ground, though it quickly disappears. The nights in summer are always cool.

Within 18 miles, which can be reached by wagon from the valley in six hours, are some of the most charming summer resorts to be found in the Southwest, beautiful locations nestled in the rugged sides of the Graham Mountains, where the whole country is covered with a luxurious growth of fern, grass, pine, oak, juniper, and fir timber, with cold spring water. Several primitive summer resorts have been established in the mountains, the principal one being Camp Arcadia, 16 miles south of Solomonsville, and reached by a good wagon road.

On the mesas and in the valleys are found the remains and implements of prehistoric man, and old cities of large size can be traced by foundation stones in many localities. On Bonita Creek and in the Aravaipa Canyon can also be seen the remains of the homes of the cliff dwellers.

There are 25 schools maintained in Graham County, taught by 25 teachers. The total number of children in attendance last year was 775; total number of school-census children, 2,166. The average length of school term in the county is six months; average salary paid teachers, $56.60.

There are five churches in the county, three Catholic and two Methodist.

The press is represented by the Graham County Bulletin, established in 1882. It is published at Solomonsville and is Democratic in politics. The Graham Guardian was established at Safford in February, 1895, and could be classed only with the Silver party in politics.

There are 31 saloons and 14 restaurants in the county.

The towns in the county are Solomonsville, the county-seat, Safford, Thatcher, Central, Pima, and Fort Thomas, in the main part of the Gila Valley. Clifton and Morenci are thriving mining towns, and Duncan is situated on the Gila River, some 50 miles above Solomonsville. Solomonsville and Safford are the largest towns in the valley, and both are growing.

The undeveloped resources in the county are to be found in the mineral, agricultural, and timber industries. Immense forests of excellent pine timber are to be found in the Graham Mountains.

It is believed that a bank would pay well at Solomonsville, the county seat.

A fruit canning establishment is badly needed in the valley.

During the past year the Gila Valley, Globe and Northern Railroad has been completed through the county as far as Fort Thomas. It enters the Gila Valley at Solomonsville, the county seat, and follows the valley to Fort Thomas, a distance of 28 miles. It is understood that work will be resumed soon and the road constructed to Globe, a thriving mining camp 70 miles beyond Fort Thomas.

Two new roller flouring mills were built in the valley during the year and another is nearing completion. The combined capacity of these mills will be about 20,000 pounds of flour daily.

The question of statehood is not much talked of in the county, though nine-tenths of our people strongly favor the proposition and would rejoice at its coming.

MARICOPA COUNTY.

By Commissioner T. C. Jordan, Phœnix.

Maricopa County is situated, geographically, nearly in the center of the Territory. It it about 144 miles in length from east to west and about 91 miles in width from north to south and contains about 7,300 square miles, or 4,679,000 acres, of which about 243,000 acres are devoted to agriculture, horticulture, and the grazing and fattening of stock from the mountain ranges. Irrigation is exclusively depended upon.

The population of the county is estimated to be about 30,000, the estimate being based upon official data and accessions since their compilation.

LIVE STOCK.

The cattle industry of the county, while not great, is slowly forging ahead. The drought of last year was a setback, but the excellent rains of the latter part of 1894 carried the stock through the winter in excellent shape. Our assessor was able to find but 27,027 head of cattle, but from information and actual knowledge the number will exceed 100,000. As assessed, there is a gain of 4,000 head over last year, although there has been shipped from the county fully 10,000 head in the past six months. The value is given at $189,189, while the actual value is over $700,000. Of horses there are 167; asses, 127; mules, 60; goats, 300. These animals, to obtain the correct number should be multiplied by four.

MINING.

During the year ending June 30 fifteen companies have been working on gold and silver mines in this county, while at least 100 more were operated by "chloriders" or tributers. Although the total number of miners at work did not exceed 250, the product of gold and silver was unusually large, exceeding that of any year in the county's history. From careful compilations I find that the value of silver in the ores shipped from Kingman and Hackberry stations amounted to $817,192; base bullion shipped to smelter, $187,000; gold bullion by express, $27,000; bullion and gold dust sold to merchants and shipped out by private conveyance, $11,000; gold in ores shipped to smelters, $328,000; making a grand total of $1,183,192 as the product of 250 men's labor for the year.

Along the banks of the Colorado River and in the mountain canyons of the Cerbat and Black ranges are thousands of acres of rich placer ground that will be worked in the near future. In the past six months about twenty dry-wash machines have been brought in, and every operator is making money fanning out the sands. The coming year is one of promise for the gold industry of the county. In Cerbat, Grand Cliff, and the Black ranges fully $750,000 in gold will be the closest estimate of the output for 1895-96. This is based on the fact that four companies are now operating in these ranges, with an output of $15,000 monthly each. The placer output will more than make up the balance of the estimate.

Near Mineral Park there are several ledges of turquoise. worked in years gone by by the Spaniards. The stones are of good color and hardness, and would no doubt prove profitable to an investor who understood his business.

CLIMATE.

The climate of Mohave County is delightful. In the mountains during the summer months the days and nights are deliciously cool, while in the valleys during the winter the thermometer seldom falls below 18° above. In the Wallapai Valley, one of the most beautiful on the Coast, the temperature is very even and mild. The death rate in the county is lower than any other part of the Coast, averaging 6 per 1,000 inhabitants. In the northeast portion of the county we have one of the greatest natural attractions in the world, the Grand and Diamond canyons. The distance from the railroad (Peach Springs) is only 18 miles over a tolerably good road. The canyon at this point is really the greatest and most wonderful of any part of that great handiwork of nature. The cliffs range fully 6,000 feet above the bed of the river, and seem to come together at the top when viewed from the bottom of the canyon, and looking down from the dizzy height the river looks like a small silver thread. Besides the Grand Canyon there are many other remarkable canyons of the Colorado in this county, notably Mohave, Boulder, Iceberg, and Black canyons.

SCHOOLS.

There are 12 schools in the county, 13 teachers, and an average attendance of 200 pupils. Kingman, the county seat, is erecting a handsome brick schoolhouse capable of accommodating 200 children. Nine months is the school year.

It is regrettable to state that there is but one church in the county, and that is the Methodist Episcopal church at Kingman.

Two newspapers are published in Kingman—the Mineral Wealth, Populist, and the Mohave County Miner, Democratic.

There are 13 hotels and restaurants and 18 saloons in the county.

Attention is called to the great undeveloped resources of the county. Through an immense gorge in the northern part of the county flows the mighty Colorado River, and from it can be obtained by a system of pumps enough water to irrigate all the arid lands of the Territory. In the Wallapai Valley alone there are 1,200,000 acres of the richest land on the face of the earth, all subject to entry.

The water runs through the canyon like a tail race, and will generate millions of horsepower, and this power can be utilized in pumping water onto the uplands.

Capital to carry out this immense project is all that is necessary to develop these millions of acres.

Wallapai Valley is overrun with the canaigre plant, and a factory to extract the tannic acid could be carried on successfully. Another industry that could be carried on here successfully is the production of cement from the immense gypsum beds lying along the Colorado River northwest of Kingman. Tanneries could be run successfully at any of the towns along the line of the railroad.

STATEHOOD.

Our people are a unit on the question of statehood. In conclusion, I would say to the worker that Mohave County offers an unexcelled field. In no place is the labor of the farmer, mechanic, or miner better repaid than here. There are thousands of mines open to location in our mountains, while our valleys are rich and unsettled.

NAVAJO COUNTY.

By Commissioner J. H. Wallace, Winslow.

The baby county of Arizona is Navajo, which was created by an act of the eighteenth legislative assembly from the western portion of Apache County, and lies in the northeastern portion of the Territory.

It is about 240 miles long, north and south, and about 53 miles wide, east and west, and contains about 10,000 square miles, or about one-tenth the total area of the Territory.

The whole of the northern portion of the county is occupied by the Moqui and a part of the Navajo Indian reservations, while the southern portion is a part of the White Mountain Apache Indian Reservation.

The county proper, or that which is outside of Indian reservations and upon which white men have a little show to exist, is about 100 miles, north and south, by 53 miles, east and west.

The county has a population of about 4,000, the principal towns being Winslow, Holbrook (the county seat), Snowflake, Taylor, and St. Joseph.

The principal industries of the county are cattle and sheep raising and farming.

Winslow, the largest town in the county, has a population of about 1,100. It is the end of a freight and passenger division of the Atlantic and Pacific Railroad, and there are about 350 men employed at that point.

Snowflake, Taylor, and St. Joseph are agricultural towns, while Holbrook is the county seat and distributing point for supplies for Fort Apache military post and the Moqui Reservation.

So far this season there has been shipped from Holbrook and Winslow over 15,000 head of cattle, mostly steers, fully as many sheep, and in the neighborhood of 1,000,000 pounds of wool.

There are in this county thousands of acres of the choicest kind of farming land and an abundance of good and pure water to irrigate the land with, the only thing required being a small amount of capital to be invested in reservoirs to store the water for use during the irrigation season.

There is a good demand and a home market for all the farm produce that can be grown here for years to come.

The soil and climate, with the assistance of irrigation, will produce in abundance the following crops: Alfalfa, wheat, oats, barley, corn, beans, potatoes, and nearly all kinds of garden truck.

The total amount of property in the county, as shown by the assessment roll for 1895, is $1,100,000, and the rate of taxation will be about 3 per cent.

The sentiment of the people is unanimously in favor of statehood.

Among the industries which could be established with profit are large woolen mills, beet-sugar refining works, a tannery, and the cultivation of the canaigre plant, a cheap and effective preparation for tanning hides.

LANDS CAPABLE OF RECLAMATION.

Two hundred thousand acres of land are capable of reclamation, at an average cost per acre of less than $2.50. upon which can be produced grain, corn, alfalfa, apples, peaches, melons, greens, and an unlimited supply of sugar beets, it being stated by experts that no better land exists for the cultivation of this product than that which will be reclaimed.

AGRICULTURAL PRODUCTS.

There were produced in this county during the year 18,000 bushels of grain, bringing $1 per bushel; and 8,000 bushels of corn, worth from 60 to 75 cents per bushel; also 4,200 tons of hay, which sold at an average price of $10 per ton.

Wheat, corn, oats, and alfalfa are most successfully produced. Bee culture has not been entered upon in this county.

DAIRY PRODUCT.

The dairy product for the year is only sufficient for home use, although it could easily be made much greater.

LIVE STOCK.

There are 75,000 cattle on the ranges in this county.

There are 7,500 horses, 125,000 sheep, and 1,500 swine in the county, an increase during the year of 40 per cent. These are assessed at $252,058, although the real value thereof is about $500,000.

MINING.

Navajo County is essentially an agricultural country; no mines have ever been discovered.

CLIMATE.

With an average elevation of 5,000 feet, the climate of this county is healthy and invigorating. There is generally a light fall of snow during the winter months and frequent rains during the summer. In Snowflake Arizona claims the best built town in the Territory, and scattered throughout the county are points of special interest, such as the famous petrified forest, splendid hunting and fishing grounds in the White Mountains, the painted desert, and the great natural bridge in the northern part, while scattered from one end to the other are ruins of Aztec villages.

EDUCATION.

There are ten public schools, employing 15 teachers and attended by 600 scholars. The schools are open on an average of seven months during the year.

CHURCHES.

There are seven churches in the county.

PRESS.

Only one newspaper, the Winslow Mail, is published in the county, being located at Winslow.

HOTELS.

Eight first-class hotels are in operation, with about the same number of restaurants. There are only six saloons in the entire county.

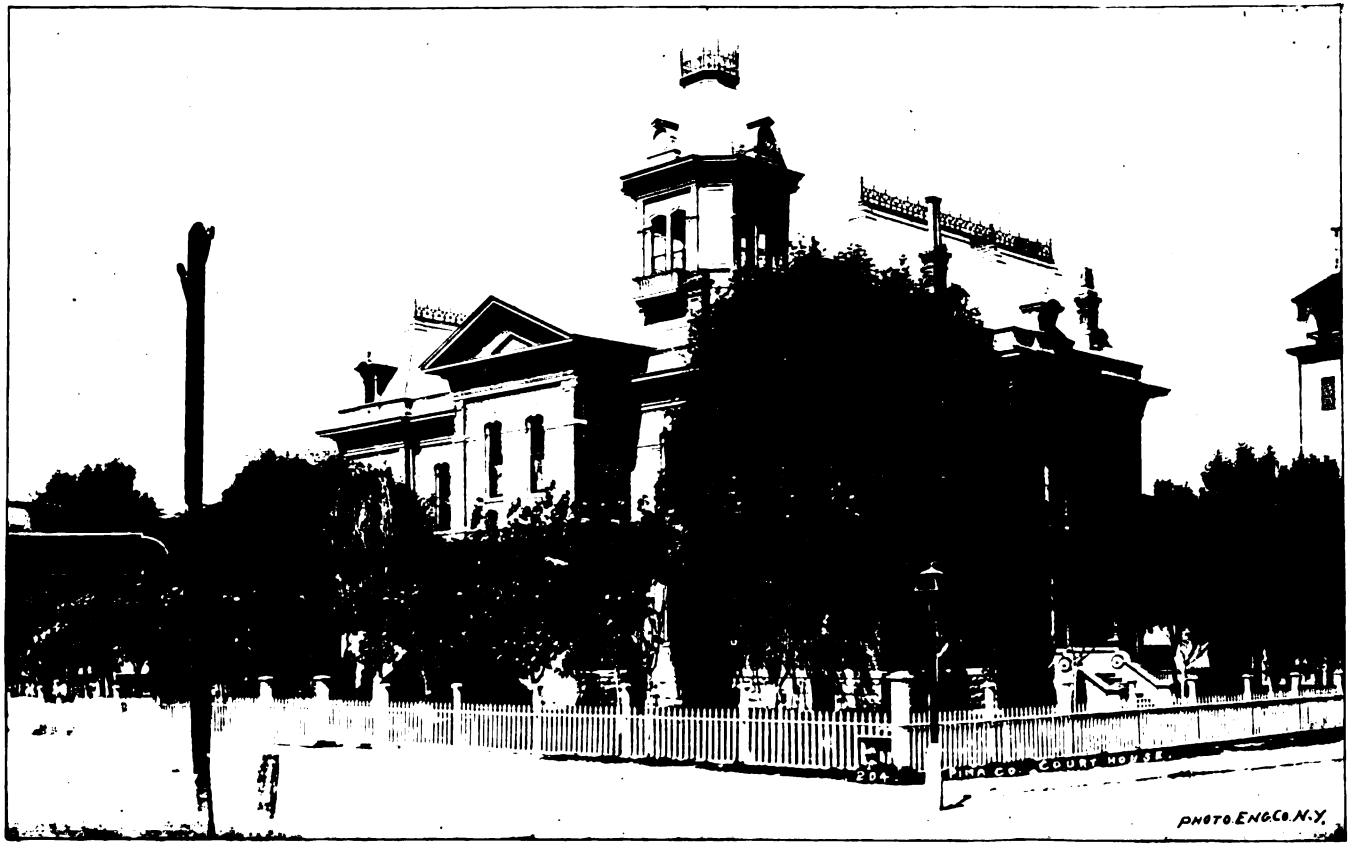
STATISTICS SHOWING RESOURCES AND DEVELOPMENTS OF NAVAJO COUNTY.

The population for the year ended June 30, 1895, was 4,000, as shown by the great register, school census, and other sources of information, an increase for the year of 1,000.

The value of the taxable property, real, personal, and mixed, as assessed, was $1,110,063.07, and the estimated actual value thereof $2,500,000.

The area of land under cultivation is 6,000 acres, of which 1,000 acres have been reclaimed.

Eighteen irrigation canals are in constant use, having a capacity of 4,000 miner's inches, with 45 miles of laterals. Of this number 7 miles of laterals were constructed during the year ended June 30, 1895. Active preparations are now being made for the construction of 60 miles of canals in the northwestern part of the county which will reclaim and make fertile 150,000 acres of land at an average cost of less than $2.50 per acre. Work is now being pushed on 11 miles of canals, having a capacity of 17,500 inches. Twenty reservoirs can be used for storing the water. As yet no artesian wells have been developed.



PIMA COUNTY COURT-HOUSE.

PIMA COUNTY.

By Commissioner Herbert Brown, Tucson.

Number of public school districts in Pima County	25
Number of school teachers employed	40
Number of pupils enrolled	1,669
Average number of months school was maintained during the year	6
Number of children of school age	3,501
Average attendance	892
Number of private schools in the county	5
Number of pupils attending private schools	500
Population (estimated)	12,000
School population	3,501
Voting population	1,948

CHURCHES.

The Catholic, Episcopal, Methodist, Congregational, and Baptist denominations have erected church edifices in the county.

PRESS.

The Citizen, daily and weekly (Republican), Tucson; Star, daily and weekly (Democratic), Tucson: Fronterizo, Spanish weekly (independent), Tucson; Oasis, weekly (Republican), Nogales, and the Border Vidette, weekly (Democratic), Nogales, constitute the press of the county at present.

HOTELS, ETC.

Tucson has 5 hotels and Nogales 3. Restaurants—Tucson, 7; Nogales, 4. Saloons—Tucson, 14; Nogales, 4; and possibly 1 in each other town in the county.

UNDEVELOPED RESOURCES.

The undeveloped resources of Pima County are agriculture and mining.

ASSESSMENT.

Property.	Number.	Value.
Acres of land	55,725	$207,971.00
Improvements		119,258.00
Town and city lots	1,465	
Improvements		974,389.00
Cattle	66,818	479,169.00
Horses	5,414	87,031.00
Mules	241	6,515.00
Sheep	2,134	3,203.00
Goats	644	980.00
Swine	367	927.00
Asses	75	479.00
Miles of railroad	117.4	587,000.00
Improvements		68,980.00
Rolling stock		118,198.53
All other property		498,969.00

IRRIGATION CANALS.

Number of canals		90
Length of canals	miles	110
Present capacity to irrigate	acres	9,000
Cost of construction		$120,000
Canals, etc., constructed during the year		5
Canals or reservoirs under construction		3
Lands to be reclaimed thereby	acres	17,000

The canals constructed can be enlarged, and with reservoirs for storage supply 300,000 acres can be irrigated.

WATER SUPPLY.

Well water can be had in the Santa Cruz Valley at a depth of 25 to 100 feet. There are no flowing artesian wells. There are some fifteen or twenty bored wells from 400 to 800 feet in depth, water being pumped therefrom for cattle purposes.

COUNTY LANDS.

	Acres.
Total area	6,714,000
Surveyed lands	1,053,390
Unsurveyed lands	5,371,186
Unappropriated lands	6,431,576
Reserved lands	208,053
Disposed of lands	74,371

Ten per cent of the land of Pima County can be successfully irrigated and reclaimed by a system of ditches, subdrainage pipes, and reservoirs for water storage, at a reasonable outlay, and 671,400 acres thus added to the cultivable area, at an average cost of reclamation of $6 per acre. Wheat, barley, oats, alfalfa, hay, corn, sorghum, tobacco, potatoes, peas, beans, beets, all kinds of vegetables, fruit, etc., can be produced on these lands. The yield of wheat, barley, and oats will be from 35 to 40 bushels per acre; corn, from 40 to 60 bushels; hay, 3 tons, and alfalfa, 5 to 7 tons.

ORCHARDS, ETC.

There are 500 acres of land devoted to orchards—peaches, apricots nectarines, apples, pears, quinces, figs, pomegranates, and grapes being the most profitable crops.

Only about 10 per cent of the present consumption of dairy products is produced in the county.

MINING.

One hundred and fifty mines are at present being operated, embracing gold, silver, copper, and lead mines, and marble, building stone, and limestone quarries.

The output of gold, silver, copper, and lead for the year (all shipped from Pima County) amounted to $150,000.

Gold and silver bullion and placer gold to the amount of $175,000 was extracted.

The following mills are being operated in the county: Old Glory Mine, 2 Griffith's mills; McDonald Mine, 1-stamp mill; Montana Mine, 10-stamp mill; Hartt's Mine, 10-stamp mill; Austerlitz Mine, 2 Wiswold mills; Crocum Mine, 1 Wiswold Mill; Yellow Jacket, 20-stamp mill; Sampson & Bent Mine, 10-stamp mill; Gunsight Mine, 1 Huntington mill; Day's Mine, 1 Huntington mill; Quijotoa Mine, 20-stamp mill; Saginaw Mine, 1 Huntington mill; Old Hermoso Mine, 1 Huntington mill; Arivaca Mine, 10-stamp mill.

There are three smelters in the county, as follows: Tucson custom smelter, 2 copper stacks; Rosemont, 1 copper stack; Nogales custom smelter, 1 lead stack.

During the past year considerable attention has been given to gold mining. New developments have been made and machinery placed on the property. Water has been developed by sinking wells, and reservoirs have been constructed for storing water from the adjacent watersheds. All the new works will be in active operation this fall. The lead and silver ores are shipped to Eastern smelters.

Considerable attention has been directed to copper properties. Regular shipments were made during the past year of a fine grade of carbonate ore which was sent to El Paso from the Bates & Hughes property in the San Xavier district, and large shipments are being made—three to four carloads a day—at Crittenden from Washington Camp. The Rosemont Smelting Company has done a large amount of development work the past year. A 60-ton smelter has been placed at the mines, and has made a successful run of high-grade copper. Work is again resumed in developing the property.

The Tucson Smelting Company has made several runs on custom work the past year, and are now preparing to make regular runs from the Silver Bell district, San Xavier district, and other ores that may be offered. The outlook for mining the coming year is very flattering, and the returns may reach the $1,000,000 limit. If more attention were turned to our placers, and reservoirs were constructed to store the water from our vast watersheds, the placer gold returns would materially increase the next year's estimates.

CLIMATE.

The climate of Pima County is unexcelled, especially for persons suffering from pulmonary diseases. Epidemics are unknown, and the health of the people is above the average.

At Tucson the annual average rainfall is 11.97 inches, and the average temperature is 67.8°.

Month.	Average rainfall.	Mean temperature.
	Inches.	*Degrees.*
January	0.822	48.4
February	1.14	52.4
March	.906	60.1
April	.21	66.2
May	.186	73.5
June	.255	81.4
July	2.636	88.3
August	2.667	85.1
September	1.106	78.9
October	.582	69.5
November	.509	57.6
December	1.18	50.7

MISCELLANEOUS.

The mesa lands are covered with mesquite trees, whose foliage and leaves furnish nutritious food to stock during the summer and fall months. There are two rainy seasons, producing a summer and winter grass. Oak trees grow at the base of the mountains and fine forests of pine and fir grow on most of the mountain ranges, which are whitecapped during the winter months, supplying the mountain streams, especially the Santa Cruz and Rillito rivers, with flood waters during the winter and spring months. Clouds hover over their summits, which are fanned by cool southwest winds passing down to the mesa below, creating a balmy atmosphere. This must be seen to be appreciated.

The old San Xavier del Baca Mission church, built by the padres for the Papago Indians, is in a good state of preservation. It is constructed on the Moorish style of architecture. Its age is unknown, but the year 1797 is marked upon the vestry door.

The St. Augustine church was formerly 3 miles north of Tucson, on the Santa Cruz, but on account of age and decay and Indian troubles it was moved to where the governor's residence now stands. The chapel of the presidio has disappeared, and the present church of St. Augustine is of recent construction.

The Escala Pura is an old ruin in the Santa Cruz Valley, under the lee of Sentinel and Saddle peaks.

These peaks have old fortifications and lookouts for soldiers, placed there by the padres to protect the settlement from the dreaded Apaches. The old Tumacacori, San Jose, or San Cavetano, Tubac, and Arivaca missions are in ruins and level with mother earth.

Evidences of the cultivation of the soil by the Papagos and mission padres are very plain at the present date. From the old ruins and foundations of buildings ditches are plainly discernible, and reservoirs, with a part of their embankment still in place, together with a vast amount of broken pottery, on both sides of the Santa Cruz and Rillito rivers. Fruit trees were still in existence within the past few years in the churchyard at Tumacacori, but vandals have destroyed them.

The sentiment of the citizens and taxpayers of Pima County is almost universally in favor of statehood.

PINAL COUNTY.

By Commissioner Charles D. Reppy, Florence.

Pinal County was organized in 1875 from portions of Pima, Maricopa, and Yavapai counties, and contains an area of 5,368 square miles, or 3,435,520 acres, one-third of which could be made productive by a systematic storage of the surplus water now running to waste. Next to Maricopa, it is the most important agricultural county in the Territory. It is traversed from east to west by the Southern Pacific Railroad, and a branch of the Santa Fe system is now approaching from the north, which will give it competing transportation rates. The Maricopa and Phœnix road is also building in this direction, and it is believed their objective point is the Deer Creek coal fields in the eastern portion of Pinal County. The population of the county by the last census was 4,251, and for the past year has increased fully 250, judging by the school census and number of registered voters.

The assessed valuation of property, real and personal, is $1,540,764.67, which is probably less than one-half its real value, as land with water rights is only assessed at $10 per acre and land without water rights at $5 per acre.

The following table will show in a condensed form the property of the county:

Number of acres with Government title	47,174
Assessed valuation of same	$376,275
Assessed valuation of improvements on same	$174,048
Number of cattle	25,625
Number of horses	2,170
Number of sheep	3,300
Number of swine	347
Livestock { Assessed valuation	$226,539
Livestock { Actual value (estimated)	$300,000

There are 75 miles of irrigating canals in the county, the principal one being the Florence Canal, 49 miles in length, with 75 miles of laterals. It has a reservoir which covers a surface of 1,600 acres with an average depth of 12 feet, and contains about 8,000,000,000 gallons of water.

In order to make the water system most effective, however, it will be necessary to build another reservoir at the Buttes, 12 miles above Florence. Lieut. W. A. Glassford, of the United States Army, has made a personal examination of the proposed site, and his report to the special Senate Committee on Irrigation and Reclamation of Arid Lands is well worthy a careful perusal. Other eminent engineers have also made favorable reports.

HISTORICAL, ANCIENT RUINS, ETC.

Arizona is at once the oldest and the newest country in what is now the United States. Three hundred and sixty years ago Alvar Nunez de Vaca, Andreas Dorante, Alonzo del Castillo Maldonado, and Estevan, an Arabian negro, first set foot on Arizona soil. They were shipwrecked in 1527 on the coast of Florida, captured by the Indians, and held in captivity for seven years. Finally escaping, they made their way across the continent to New Mexico and Arizona, and thence to Culiacan, Mexico. They discovered the Mississippi ten years before De Soto stood upon its banks, and found semicivilization on the Rio Grande and in the Moqui and Zuni villages in Arizona more than a quarter of a century before the settlement of St. Augustine or Jamestown and nearly a century before the Puritans landed on Plymouth Rock. Leaving the Moqui villages, Cabeza de Vaca and his party passed south and visited the Casa Grande ruins, 10 miles from the present site of Florence, which were then ruins.

But it is not the purpose of this report to deal with ancient history. Suffice it to say that the land discovered by Cabeza de Vaca has proven to be most wonderfully fertile, and in no place in the United states can its like be found. Even in the sixteenth century remains were found of many ancient buildings and canals, while nothing is left to tell of the builders. There were no traditions among the Indian tribes then, and there are none now, to tell us of the people who erected those wonderful buildings 8 and 10 stories high, and who dug canals such as engineers of the present day pronounce to be works of skill.

The accompanying map of the Casa Grande Valley will give a better idea of the country than columns of descriptive writing. The old ruins are situated about 10 miles south of Florence, and surrounding them are twenty-five townships (326,000 acres) of as beautiful and productive land as lies under the sun. It is useless to deny that under our present water system there is nothing like sufficient water to irrigate this vast body of land.

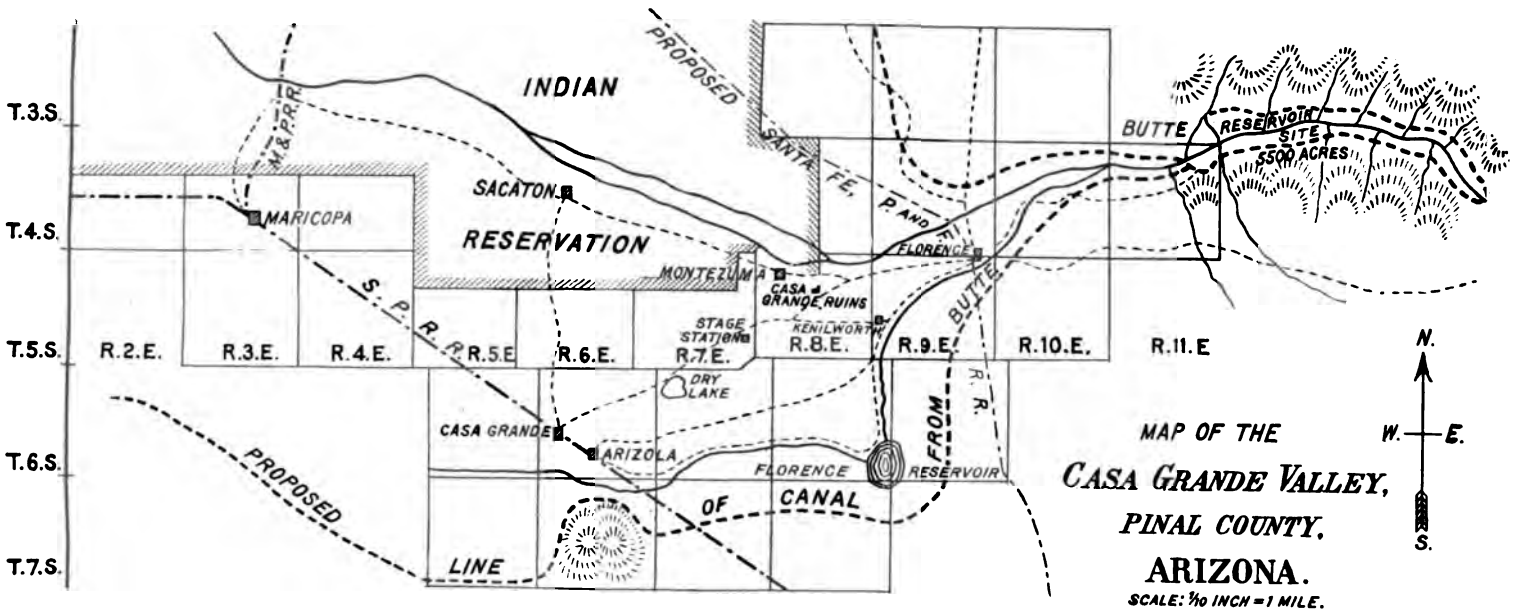
THE CASA GRANDE VALLEY CANAL.

This canal is 49 miles in length, and covers 60,000 acres of land, about 7,000 of which are under cultivation. It is so constructed that it can be easily enlarged and its capacity increased. The reservoir referred to furnishes an ample supply of water the year round to all farmers located below it, but those above suffer by a shortage of water during a few weeks in summer.

This, however, would be remedied by the construction of the Butte reservoir, and besides would furnish an unlimited supply of water for the Indians on the Sacaton Reservation.

THE COUNTY SEAT.

Florence, the county seat, contains a population of about 1,500, but with the completion of railroads and the Butte reservoir no city in Arizona can approach it for natural advantages, and a large increase in populaton will follow. Florence is at an eleva-



MAP OF THE

CASA GRANDE VALLEY,

PINAL COUNTY,

ARIZONA.

SCALE: 1/10 INCH = 1 MILE.

YAVAPAI COUNTY.

By Commissioner Orick Jackson, Prescott.

Although the Territory, from current report, has felt the general depression prevailing throughout the country, Yavapai County has, on the contrary, rather enjoyed a period of prosperity within the twelve months ending June 1; in fact, it may be considered one of the best years the county has experienced since 1885, or, I might more aptly put it, since the depreciation of silver.

Bountiful rains have given abundance of pasture, resulting in a general recuperation of the stock interests, and renewed search for the yellow metal has given impetus to the mining industry in all parts of the county. The renewed activity has shown a marked increase in the production of gold, and from present indications this section will soon take its place as one of the greatest gold-producing counties in the universe. Already the county leads in the production of copper, and when the proper conditions arise it can hold its own as a great silver producer.

The progress made in agriculture has not been of the extent it should be, owing mainly to the lack of irrigation facilities, but movements are on foot at present which, if carried out, will bring about a marked change in this industry within the next few years.

The completion of the Santa Fe, Phœnix and Prescott Railroad has caused a general waking up in commercial circles, and has largely increased the number of business houses.

The production of gold far exceeds that of any previous year, and the exportation of cattle has been the largest in many years. The range cattle are also in fine condition, and with the present outlook a large increase is looked forward to in the ensuing year.

A large amount of capital has been invested in mines within the past six months, and as much more is at present seeking investment in this industry.

Socially and morally the county shows a marked improvement, and the population is rapidly increasing. Education is advancing steadily, and the good health of the people and absence of distress have been one of the features of the year.

Many large mining and irrigation enterprises have been inaugurated or are about to be, and altogether it may be summed up that the past twelve months have been Yavapai County's banner year in the march of progress.

POPULATION.

The population has been rather on the increase than otherwise, but it is a hard matter to make an absolute and official estimate, from the lack of proper facilities. Owing to the construction of the new railroad the population was exceptionally swollen for the time being, and a fair estimate can not be made from the great register and other sources. From private information and inquiry, however, it is fair to state that the increase will be at least 2,500 persons, and the total population can be estimated at 15,000. Most of the newcomers are miners and merchants.

TAXABLE PROPERTY.

The total valuation of taxable property shows a large increase over the preceding twelve months. The following table shows this year's taxation and the increase over last year:

Description of property.	Number.	Value.	Value of improvements.	Total value.
Acres of land	340,828	$361,830	$149,990	$511,820.00
Town and city lots	.....	309,641	507,717	817,358.00
Horses	6,690	149,396	.....	149,396.00
Asses	280	4,413	.....	4,413.00
Cattle	85,565	598,955	.....	598,955.00
Sheep	16,399	24,535	.....	24,535.00
Goats	2,463	3,149	.....	3,149.00
Swine	713	2,043	.....	2,043.00
All other property	.....	1,117,166	.....	1,117,166.00
Miles of railroad	60,552	265,602	.....	265,602.89
Total value of all property in 1895	.....	.....	.....	3,494,437.89
Total value of all property in 1894	.....	.....	.....	3,105,476.45
Increase in value	.....	.....	.....	388,961.44

SETTLEMENT OF LANDS.

In regard to the settlement of lands, there are no means of securing any data on the subject. Only a rough estimate can be made, and I would place the number of acres under cultivation at 20,000, most of which is devoted to general farming and stock raising. No record has been made of lands reclaimed during the year.

IRRIGATION CANALS.

About 20 miles of irrigating canals and laterals are in use, being mainly confined to the Verde and Agua Fria valleys. None have been constructed during the year. There are many undeveloped water resources within the county limits, however, and when capital can be induced to look into this matter an area exceeding 500,000 acres can be put under irrigating canals at a minimum cost.

AGRICULTURAL PRODUCTS.

There are no means of securing any data on products here. It can be stated, however, that the local product is about one-fifth of the gross consumption.

HORTICULTURE.

Very little land is devoted to horticulture, although the climatic conditions are such that an unequaled quality of fruit of certain kinds can be raised. The lack of water in the best localities is the main drawback. Peaches, apples, pears, cherries, and all kinds of berries do well and are superior to those raised in the valley counties; grapes also mature well and are of exceptionally good quality. Fruits mature from July to September. There is a good field for the orchardist here, as the demand is large and fruit of all kinds keeps well.

DAIRY PRODUCTS.

Although this is a county over which thousands of cattle roam, there is not a dairy large enough to supply a first-class hotel all the year round with milk and butter.

All dairy products are shipped here from Kansas City and the Salt River Valley, the greater part coming from the East.

A splendid field is open here to the dairyman.

LIVE STOCK.

The past year has been an excellent one in the live stock industry. The following statement gives the relative values for the past two years. It will be noted that the value of horses has largely decreased, the cause being the completion of the railroad, which has done away with a large part of the freighting formerly done by animal labor.

Stock.	1894.		1895.		Increase.	Decrease.
	Number.	Value.	Number.	Value.		
Horses	8,481	$211,576	6,690	$149,396	.....	$62,180
Cattle	78,141	547,637	85,565	598,955	$51,318	.....
Sheep	19,000	28,500	16,399	24,535	.....	3,965
Swine	612	1,989	713	2,043	54	.....
Goats	1,200	1,850	2,463	3,149	1,299	.....
Asses	323	3,437	280	4,413	976	.....
Total value	.....	794,989	.....	782,491	.....	.....
Net decrease	.....	.....	.....	.....	.....	12,498

Eighty thousand head of cattle were shipped from Yavapai ranges during the past six months.

EDUCATION.

There are 42 schools in the county, in charge of 52 teachers—16 male and 36 female—the average wages being $75 per month for males and $65 per month for females. The number of pupils enrolled during the year was 1,050. Average length of school year, six months.

CHURCHES.

The churches are 7 in number, of the following denominations: Catholic, 1; Methodist, 1; Episcopal, 1; Congregational, 1; Baptist, 2; Methodist, South, 1. Six of these are in Prescott, and the seventh (Baptist) in Jerome. Throughout the county the schoolhouses are used for divine worship on Sundays.

PRESS.

The county supports two papers, both daily and weekly—the Journal-Miner (Republican) and the Courier (Democratic).

HOTELS.

The number of hotels and restaurants is 70. This includes 40 stations on the various county roads. Nearly all the restaurants are conducted by Chinamen.

SALOONS.

One hundred and twenty-three saloons pay license. This includes the 40 stations.

CLIMATE.

The climate of Yavapai County is one of its most attractive features. The bracing air and wonderful clearness of the atmosphere is a subject of constant comment from all acquainted with it, and a more healthy area can not be found any place in the entire West. Its average annual mean temperature is but a fraction under 58° F., being almost identical with that of southern California. Extremes of cold and heat are rare, and it is the boast of the county that we have the only climate on earth.

MINES AND MINING.

Concerning our mining interests, the past year's development has been most gratifying, if not phenomenal. Mines that have lain idle for years are once more resounding with the miner's pick and shovel, and a general waking up and activity is noticeable throughout the mining districts. More gold has been produced than ever before in the history of the county, and, what is better, mining men have finally realized that this is the country of deep mining. The completion of the North and South Railroad has solved the problem of working the mines economically, and the industry is now entering upon its greatest era. New capital is coming in to develop the great properties of the county, and the production of the precious metals is increasing daily.

Hundreds of prospectors are scattered among the mountains and canyons, and constant reports of rich strikes are being reported. The following tabulated statements show the product of gold and other metals for the year:

Plants in operation.	Number of stamps.	Daily capacity of smelter.	Annual product.
		Tons.	
United Verde (gold, copper, and silver)	.....	150	$3,500,000
Congress	40	.....	.....
Congress (cyanide)	.....	60	750,000
John S. Jones (Little Jessie)	20	.....	240,000
Roberts	5	.....	20,000
Crowned King	10	.....	360,000
Mescal Co	20	.....	25,000
Barrett's	5	.....	10,000
Whipsaw	10	.....	150,000
Swallow	5	.....	20,000
Harlan's	5	.....	25,000
Senator	10	.....	75,000
Groom Creek	5	.....	24,000
Morse's	10	.....	60,000
Lane's	10	.....	150,000
Wade's	5	.....	15,000
Marshe's	10	.....	30,000
Schureman's	5	.....	12,000
Sattes & Co	5	.....	12,000
Ryland	20	.....	40,000
Humbug	20	.....	20,000
Last Chance	10	.....	20,000
Venezia (not working)	10	.....	.....
Big Bug	5	.....	25,000
Sines & Co	3	.....	15,000
Dekhunes (not working)	10	.....	.....
Del Pasco	5	.....	40,000

Plants in operation.	Number of stamps.	Daily capacity of smelter.	Annual produc:.
		Tons.	
Prescott Sampling Works	.....	100	$75,000
Phelps, Dodge & Co	.....	100	50,000
Santa Maria	5	.....	15,000
Callen & Co	10	.....	25,000
Yarnell	10	.....	35,000
Catoctin (not working)	10	.....	.....
Gladiator (not working)	10	.....	.....
Rupert's (not working)	5	.....	.....
Turkey Creek (not working)	10	.....	.....
Peck	20	.....	50,000
Total { quartz mines	350	410	5,949,000
Total { placer mines	.....	.....	250,000
Shipments	.....	.....	750,000
Aggregate production	.....	.....	6,949,000

The data given in the foregoing table have been collected from the most reliable sources and are as near correct as possible.

POINTS OF INTEREST.

The county has many interesting natural wonders, the greatest being the Grand Canyon of the Colorado on the north. There are also many houses of the cliff dwellers situated not far from Prescott, and many historic ruins. The Castle Creek hot springs will soon become famous as a health resort, the waters being considered equal to the famous hot springs of Arkansas, and some springs lately discovered in the Santa Maria bid fair to become even more famous. It is claimed, and well authenticated, that these springs will cure the most obstinate case of catarrh, no matter of how long standing. An investigation is being made.

BUILDING STONE, ETC.

Throughout the county are numerous deposits of onyx, lithograph stone, and red and gray sandstone, and other building materials. Notable among these are the extensive and beautiful onyx quarries at Big Bug. The lithograph stone deposits are found on Sycamore Creek, the red sandstone at Rock Butte, and the red and white stone within 3 miles of Prescott. The latter quarry is furnishing a very fine quality of stone for building purposes, and is being used in the construction of homes and business houses in the city.

UNDEVELOPED RESOURCES.

The undeveloped resources of the county are many and diversified. Irrigating canals are badly needed and will give handsome returns. Reduction works would yield splendid dividends, and a fine field is open to the dairyman and poultry farmer.

In conclusion I would state that the legislative act creating a channel through which information is furnished to those making inquiries has been very beneficial to this section, and good results are following the efforts of the first publication issued in conformity with that law. A vast amount of good has been done the mining interests, and a large amount of capital is being invested as a result. The prospects for the coming year are bright.

YUMA COUNTY.

By Commissioner John W. Dorrington, Yuma.

The taxable property, real and personal, of Yuma County, as assessed last year was $998,039.62. Its actual value, however, is placed at $2,500,000.

IRRIGATION CANALS.

There are 120¼ miles of irrigating canals in Yuma County, having a capacity of 77,100 miner's inches, costing to construct $337,000, and making reclaimable 81,000 acres.

There are no artesian wells in the county.

Three hundred thousand acres yet remain which are capable of reclamation. These will produce, under proper irrigation, all kinds of deciduous fruits and vegetables.

AGRICULTURAL PRODUCTS.

Very little wheat or corn is raised. Of barley, 150,000 pounds were marketed during the year, as also 8,000 tons of hay and the honey derived from 250 stands of bees.

LIFE STOCK.

	Number of head.	Increase over 1894.
Cattle	2,000	155
Horses	500	54
Swine	675	511

MINING.

The Harqua Hala is the only mine operated in the county. Twenty stamps are constantly at work there. Most of the mining done in this county is placer mining. Immense quantities of gold are being daily taken out of the vast deposits of placers. The estimated output of gold from the county during the year ended June 30, 1895, is by a conservative estimate placed at $800,000. Next year's yield, it is estimated, will be larger than this one.

No silver or copper was mined during the year.

CLIMATE.

The general health of the citizens of Yuma county is perfect. Yuma County has the most perfect climate the year round of any section of the United States.

EDUCATIONAL

There are 8 public schools in the county, with 10 teachers and 605 scholars, the school term averaging seven months during the year.

CHURCHES.

There are but two organized churches in the county, one Catholic and one Methodist.

PRESS.

The Arizona Sentinel, independent in politics, is the only paper published in the county.

MISCELLANEOUS.

There are 12 restaurants and 12 saloons in the county.

The general sentiment of the citizens is in opposition to statehood.

OFFICERS OF THE TERRITORY AND RESPECTIVE COUNTIES

Representative in Congress, Nathan O. Murphy, Phœnix.

EXECUTIVE DEPARTMENT.

Governor, Louis C. Hughes, Tucson; private secretary, John T. Hughes, Tucson; assistant, E. E. Jordan, Phnœix; secretary of Arizona, Charles M. Bruce, Phœnix; assistant secretary of Arizona, F. B. Devereux, Phœnix; treasurer of Arizona, P. J. Cole, Phœnix; deputy treasurer of Arizona, C. J. Hall, Phœnix; auditor of Arizona, C. P. Leitch, Phœnix; attorney-general, T. D. Satterwhite, Tucson; deputy attorney-general, L. H. Chalmers, Phœnix; superintendent of public instruction, F. J. Netherton, Mesa City; adjutant-general, Edward Schwartz, Phœnix.

JUDICIAL DEPARTMENT.

Supreme court.—Chief justice, A. C. Baker, Phœnix. Associate justices, J. D. Bethune, Tucson; Owen T. Rouse, Florence; John J. Hawkins, Prescott; clerk, J. L. B. Alexander, Phœnix.

District court, first judicial district.—Judge, J. D. Bethune, Tucson. Clerks, A. J. Halbert, Tucson; Scott White, Tombstone. Commissioners, D. G. Chalmers, Tucson; J. S. Taylor, Nogales; E. A. Nichols, Willcox; James F. Duncan, Tombstone; J. W. Wright, Bisbee.

District court, second judicial district.—Judge Owen T. Rouse, Florence. Clerks, Thomas F. Weedin, Florence; Alonzo Bailey, Globe; B. B. Adams, Solomonsville. Commissioners, O. N. Creswell, Globe; Thomas F. Weedin, Florence; George Hyatt, Solomonsville.

District court, third judicial district.—Judge, A. C. Baker. Clerks, J. E. Walker, Phœnix; Charles H. Williams, Yuma. Commissioners, J. W. Crenshaw, Phœnix; John R. Marable, Yuma.

District court, fourth judicial district.—Judge, John J. Hawkins. Clerks, Andrew J. Herndon, Prescott; L. O. Cowan, Kingman; John Vories, Flagstaff; Alfred Ruiz, St. Johns. Commissioners, H. T. Andrews, Prescott; John Vories, Flagstaff; William G. Blakeley, Kingman; F. J. Walton, Holbrook.

United States district attorney, E. E. Ellingwood, Tucson.

United States marshal's office, district of Arizona.—Marshal, W. K. Meade, Tucson; deputy marshals, S. A. Bartelson, Florence; W. R. Campbell, Winslow; Alexander Ezekiels, Tucson; J. R. Lowry, Prescott: Frank Morrell, Williams; J. K. Murphy, Phœnix; George A. Olney, Solomonsville; John W. Slankard, Phœnix; Charles Smith, Bisbee; R. M. Templeton, Yuma; J. H. Thompson, Globe; Scott White, Tombstone.

United States surveyor-general's office.—Surveyor-general, Levi H. Manning; chief clerk, George J. Roskruge, Tucson; public land clerk, William B. Brown, Tucson; draftsmen, Charles von Erxleben and James H. Martineau; mineral clerk, August A. Lysight.

United States land office, Tucson.—Register, Eugene J. Trippel, Yuma; receiver, Edward R. Monk, Willcox; clerk, Lucy J. Freis, Tucson.

United States land office, Prescott.—Receiver, Jake Marks; chief clerk, C. W. O'Sullivan.

UNITED STATES INTERNAL REVENUE—DISTRICT OF NEW MEXICO, INCLUDING ARIZONA.

Collector, C. M. Shannon, Santa Fe, N. Mex.; chief clerk, Florence A. Hughes, Santa Fe, N. Mex.; deputy, first division, Charles L. Betterton, Santa Fe, N. Mex.; deputy, second division, William Burns, Albuquerque, N. Mex.; deputy, third division, Benjamin J. Crawford, Tucson, Ariz.; gaugers, Robert Harvey, Santa Fe, N. Mex.; William T. McCreight, Albuquerque, N. Mex.

UNITED STATES CUSTOMS SERVICE, DISTRICT OF ARIZONA.

Collector of customs, Sam F. Webb, Nogales; special deputy collector, Frank M. King, Nogales; clerks, S. M. Aguirre, F. J. Duffy, Nogales; assayer, F. J. Heyne, Nogales; inspectors, R. H. Reynolds, H. Hanna, J. P. Welsh, R. M. Catlett, G. W. Webb, J. M. Miller, S. W. Finley; inspectors—Nogales, E. Hanna; Buenos Ayres, J. F. Kellner, P. J. Hobson; Yuma, J. L. Powell, William Dunbar. Deputy collector, Edwin Mayes, Yuma.

UNITED STATES INDIAN AGENCIES.

Pima Agency, J. Roe Young, agent, Sacaton; Colorado River Agency, Charles E. Davis, Parker; Navajo Agency, Lieut. E. H. Plummer, acting agent, Fort Defiance; San Carlos Agency, Capt. Albert L. Myer, acting agent, San Carlos.

NATIONAL GUARD OF ARIZONA.

Staff of the governor and commander in chief: Adjt. Gen. Ed Schwartz (ex officio quartermaster and chief of ordnance), Phœnix; surgeon-general, Col. Scott Helm, Phœnix; judge-advocate-general, Col. Joseph Campbell, Phœnix; inspector of small-arms practice, Maj. H. F. Robinson, Phœnix; special aid-de-camp, Capt. John T. Hughes, Tucson; chaplain, Capt. Winfield Scott, Phœnix.

FIRST REGIMENT, HEADQUARTERS TUCSON.

Colonel, John H. Martin, Tucson; lieutenant-colonel, A. J. Doran, Florence; majors, S. Hochderffer, R. Allyn Lewis, Phœnix, and John A. Black, Tucson; adjutant, First Lieut. B. W. Tichenor, Tucson; quartermaster, First Lieut. George W. Cheyney, Tombstone; commissary, First Lieut J. H. Carpenter, Yuma; surgeon, Maj. George E. Goodfellow, Tucson; assistant surgeons, Capt. D. J. Brannen, Flagstaff, and First Lieut. Charles H. Jones, Tempe.

Company A, Globe, Capt. James Wiler.

Company B, Phœnix, Capt. J. J. Wickham.

Company C, Tempe, Capt. W. E. Mullin.
Company D, Tucson, Capt. Philip Contzen.
Company E, Mesa City, Mesa, Capt. R. H. Brown.
Company F, Tucson, Capt. J. M. Trayer.
Company H, Yuma, Capt. F. S. Ingalls.
Company I, Flagstaff, Capt. Hochderffer.
Company K, St. Johns, Capt. Walter Scott.

BOARD OF LOAN COMMISSIONERS.

Governor Louis C. Hughes, Tucson; Territorial Secretary Charles M. Bruce, Phœnix; Territorial Auditor C. P. Leitch, Phœnix. E. E. Jordan, Secretary Board, Phœnix.

BOARD OF EQUALIZATION.

C. P. Leitch, third judicial district; Morris Goldwater, fourth judicial district; H. C. Boone, second judicial district; H. D. Underwood, first judicial district. Secretary of Board A. M. Franklin, Phœnix.

BOARD OF CONTROL.

L. C. Hughes, governor; C. P. Leitch, auditor; Myron H. McCord, citizen member. Clerk Board Ed. Schwartz, Phœnix.

DIRECTORS OF THE INSANE ASYLUM.

Ira B. Hamblin, resident physician and superintendent, Phœnix; Mrs. L. L. Hamblin, matron, Phœnix; Eugene Hackett, steward, Phœnix.

LIVE STOCK SANITARY COMMISSION.

Colin Cameron, chairman of board, Pima County; F. O. Richmand, veterinary surgeon and ex officio secretary; M. E. Hurley, Maricopa County; Price Behan, Yavapai County.

BOARD OF EDUCATION OF NORMAL SCHOOL.

Rev. Daniel Kloss, president; F. J. Netherton, secretary; P. J. Cole, treasurer; J. T. Moriarity, J. F. Wilson, Prescott.

TERRITORIAL BOARD OF IMMIGRATION COMMISSIONERS.

William H. Hattich, Cochise County, Tombstone; Herbert Brown, Pima County, Tucson; George H. Kelly, Graham County, Solomonsville; A. H. Hackney, Gila County, Globe; John W. Dorrington, Yuma County, Yuma; Anson H. Smith, Mohave County, Kingman; Orick Jackson, Yavapai County, Prescott; F. W. Wallace, Navajo County, Winslow; T. C. Jordan, Maricopa County, Phœnix; C. M. Funston, Coconino County, Flagstaff.

OFFICERS OF THE TERRITORIAL PRISON.

Thomas Gates, superintendent; M. F. Shaw, assistant superintendent; Harry McKean, secretary; P. G. Cotter, prison physician, Yuma.

REGENTS OF THE UNIVERSITY.

Rev. Howard Biliman, chancellor; J. G. Hilzinger, secretary; S. M. Franklin, treasurer; Gov. L. C. Hughes, ex officio member; F. J. Netherton, ex officio member; E. R. Monk, member.

FISH AND GAME COMMISSIONER.

Edward Schwartz, Phœnix.

SHEEP INSPECTORS.

W. H. Campbell, Navajo; Colin Cameron, Pima; Philip Clark, Pima; John A. Croken, W. H. Gibbons, Apache County.

BOARD OF REGISTRATION OF DENTISTRY.

A. A. Doherty, Nogales; Joseph Hardy, Phœnix; E. C. Hyde, Phœnix; H. C. Jessop, Phœnix, F. A. Odermatt, Tucson.

QUARANTINE HEALTH OFFICER.

Dr. George E. Goodfellow, Tucson.

COUNTY OFFICERS.

Apache County.—L. J. Brown, chairman board of supervisors, Nutrioso; W. H. Gibbons, member board of supervisors, St. Johns; Gustave Decker, member; N. Gonzales, clerk board of supervisors, St. Johns; Willard Farr, probate judge and ex officio school superintendent, St. Johns; W. H. Burbage, district attorney, St. Johns; N. Gonzales, county recorder, St. Johns; James Scott, sheriff and ex officio assessor; Albert F. Patter, treasurer and ex officio tax collector, St. Johns.

Cochise County.—J. S. Williams, chairman board of supervisors, Bisbee; A. M. Gilmore, member board; John Montgomery, member of board; W. A. Howell, clerk of the board, Tombstone; C. S. Fly, sheriff, Tombstone; J. V. Vickers, treasurer and ex officio tax collector, Tombstone; A. Wentworth, recorder, Tombstone; George W. Swain, district attorney, Tombstone; W. S. Bradley, probate judge and ex officio county school superintendent; H. G. Howe, surveyor, Tombstone; J. H. Wright, assessor, Willcox.

Coconino County.—A. A. Dutton, chairman board of supervisors, Flagstaff; C. H. Schultz, supervisor, Flagstaff; F. R. Mellus, supervisor, Williams; C. A. Bush, clerk of board of supervisors, Flagstaff; R. H. Cameron, sheriff, Flagstaff; A. T. Cornish, treasurer, Flagstaff; N. G. Dayton, probate judge, Flagstaff; C. A. Bush, recorder, Flagstaff; J. E. Jones, district attorney; Oscar Gibson, clerk of district court.

Gila County.—Edward H. Cook, chairman board of supervisors, Globe; David Devore, B. F. Stewart, members of the board of supervisors; Mills Van Wagener, probate judge, ex officio county school superintendent; J. W. Wentworth, district attorney, Globe; J. H. Thompson, sheriff and assessor, Globe; H. C. Hitchcock, treasurer and tax collector; G. M. Allison, recorder and clerk board of supervisors; O. N. Creswell, clerk of district court; Alex. G. Pendleton, surveyor.

Graham County.—Henry Hill, chairman board of supervisors, Clifton; F. W. Hayes, member board of supervisors, Fort Grant; A. H. Bennett, member board, Safford; Manuel Leon, clerk, Solomonsville; W. L. Smith, district clerk, Solomonsville; Arthur A. Wright, sheriff, Solomonsville; H. L. Smith, chief deputy sheriff; Wiley E. Jones, district attorney, Solomonsville; Frank Dysart, treasurer, Solomonsville; Manuel Leon, recorder; B. B. Adams, clerk district court, Solomonsville; George Cluff, probate judge, Solomonsville; George Hyatt, court commissioner.

Maricopa County.—J. T. Priest, chairman board of supervisors, Tempe; W. L. George, member, Phœnix; W. A. Kimball, Mesa; W. I. Cox, clerk board of supervisors; Lin Orme, sheriff; D. L. Murray, treasurer and ex officio tax collector; J. W. Kincaid, recorder; Jerry Millay, district attorney; J. E. Walker, clerk district court; Lewis Jordan and C. H. Knapp, deputy clerks; J. L. B. Alexander, clerk supreme court; C. W. Crouse, probate judge and ex officio county school superintendent.

Mohave County.—William Grant, chairman board of supervisors, Hackberry; William Frost, member of board, Pima; John M. Johnson, member of board, Pima; L. O. Cowan, clerk, Pima; John M. Murphy, district attorney, Pima; Harvey Hubbs, treasurer, Pima; L. O. Cowan, county recorder, Kingman; J. E. Perry, probate judge, Kingman; James Roseborough, sheriff, Kingman.

Pima County.—James Finley, chairman board of supervisors, La Osa; Z. T. Vail, Vail's ranch; C. S. Shoemaker, Tucson; Fred G. Hughes, clerk of the board; John S. Woods, probate judge, Tucson; William M. Lovell, district attorney, Tucson; Robert N. Leatherwood, sheriff, Tucson; R. A. Johnson, treasurer, Tucson; C. A. Shibell, recorder, Tucson; Henry Levin, assessor, Tucson; —— Constance, surveyor, Tucson.

Pinal County.—A. S. Barker, chairman board of supervisors; Charles T. Bennett, member; William N. Lannigan, member; Jose M. Ochoa, clerk; D. C. Stevens, probate judge; F. M. Doane, district attorney; J. M. Ochoa, recorder; W. C. Truman, sheriff; Thomas Weedin, clerk district court; E. O. Stratton, treasurer; W. H. Merrill, surveyor.

Yavapai County.—J. W. Smith, Thomas Roach, and John Wood, supervisors; Charles Akers, clerk of board; Charles P. Hicks, probate judge; Gov. F. A. Tritle, county recorder; F. A. Tritle, jr., deputy recorder; M. O. Archibald, deputy recorder; J. M. Watts, deputy recorder; H. R. Tritle, deputy recorder; Robert E. Morrison, district attorney; George C. Ruffner, sheriff; J. P. Dillon, undersheriff; John Hartin, county treasurer; H. H. Carter, assessor; A. J. Herndon, clerk of the court; William Wilkerson, deputy clerk of the court.

Yuma County.—B. A. Harazthy, chairman board of supervisors; G. Gondolfo, supervisor; A. Modesti, supervisor; Mel Greenleaf, sheriff; William B. Hodges, deputy sheriff; C. H. Brinley, clerk district court; A. Frank, probate judge and ex officio county superintendent of schools; M. L. Pool, recorder and clerk of board of supervisors; Sam Purdy, district attorney; O. F. Townsend, surveyor; L. N. Moller, county physician.

REPORT

OF

THE GOVERNOR OF NEW MEXICO.

OFFICE OF THE EXECUTIVE,
TERRITORY OF NEW MEXICO,
Santa Fe, N. Mex., October 15, 1895.

SIR: In obedience to your request, I have the honor to herewith transmit to you my report for the year ending June 30, 1895, for the Territory of New Mexico.

Yours, very respectfully,

W. T. THORNTON.

The SECRETARY OF THE INTERIOR,
Washington, D. C.

POPULATION.

There has been no material increase in the population of New Mexico during the last fiscal year, although a healthy immigration has been coming into all parts of the Territory of a most excellent class of farmers, and several of the mining camps that had been temporarily abandoned during the depression are again filling up with miners.

The financial depression and business stagnation that affected this Territory in common with all parts of the Union so disastrously last year has in a great measure passed away, and upon every hand may be seen the evidence of renewed business activity and coming prosperity.

New Mexico has never been so wonderfully blessed with copious rains and all that tends to the production of a bounteous harvest as during the present season. Everywhere across the broad plains and over mountains and valleys we find a most luxurious growth of native grasses such as has seldom been seen before, and the extensive herds of sheep, cattle, and horses, pasturing thereon are in an excellent condition.

The farmers and orchardists have harvested a most abundant crop of grain, alfalfa, wheat, oats, and other cereals, while the orchards and vineyards are filled with the most delicious fruits and grapes. This is the news from every portion of the Territory. Those best informed pronounce the present crop of fruit, grapes, grasses, and grains to be the largest in the history of New Mexico.

This, together with an advance of fully 25 per cent in the value of range cattle and sheep, and an advance of 35 per cent in the value of wool, has given new life and impetus to the ranchmen and agricul-

turists, relieved them largely from their financial embarrassments, and greatly added to the material prosperity of the Territory.

The healthful immigration which had set in in the Pecos Valley, in the counties of Eddy and Chaves, referred to in my last annual report to the Secretary of the Interior, has continued and somewhat increased during the past year. Especially is this the case in the county of Chaves, where the immigration has been very large. This is due largely to the completion of the works of the Pecos Valley Irrigating and Improvement Company, to which reference will hereafter be made. The same may be said of the counties of San Juan, Valencia, Bernalillo, and Colfax, where like enterprises are in progress, the completion of such enterprises being the attraction to these localities, bringing, as they do, into the market large bodies of most excellent farming land, which by means of ditches and reservoirs are made available for this purpose.

The mining camps of the counties of Santa Fe, Grant, Socorro, Sierra, Lincoln, and Bernalillo, where business was at a standstill twelve months ago, are again filling with throngs of miners, whose year's labor has resulted in a large increase of the production of the precious minerals.

No census of the population has been taken during the year, but a careful estimate made by well-informed persons from the different counties places the immigration to the Territory during the year at about 6,000, mostly adult farmers or miners.

LAND TITLES.

I am happy to be able to again commend the most excellent work of the Court of Private Land Claims, which has during its existence done so much to lift the cloud of uncertainty that for half a century has hung like the shadow of death over vast areas of land held by Spanish and Mexican grants, with titles so uncertain as to practically prevent their sale and occupation. Large areas of the finest grazing, agricultural, and mineral lands have been held by these grants with undefined and uncertain boundaries, and in many instances by fraudulent titles which are of no value.

This condition of uncertainty of tenure of title has done much to retard the settlement and development of the Territory for a long series of years, and until the final settlement thereof no great influx of immigration can be expected.

For forty-five years after the acquisition of the Territory there was no tribunal in existence with jurisdiction to determine the rights of claimants in said grants, either between conflicting claimants or between the claimants and the Government, the law simply providing that such claims should be examined by the surveyor-general of New Mexico, who should report his conclusion to Congress for final action, which action in a majority of cases was never taken, and during this long series of years all of the lands "claimed" as having been granted either by Spain or the Republic of Mexico were by the act of Congress "reserved from sale or location" until finally acted upon by Congress. The surveyor-general of New Mexico might, and as a matter of fact frequently did, examine into and report certain claims "fraudulent" in whole or in part, but this did not affect the status of any portion of land "claimed" until Congressional action was had.

It is not surprising that when such a condition existed for so many years that the Territory has not in the past filled up with settlers as rapidly as could be wished. Only those who have been present and witnessed the continual troubles and difficulties occasioned to the

would-be settler by this condition of affairs can fairly realize the incalculable injury which the Territory has sustained and the great injustice frequently done to the citizen.

One or two instances which have come within my own observation may serve in a feeble way to illustrate this.

THE PERALTA-REAVIS CLAIM.

The now celebrated Peralta grant claim may be cited as an instance showing the vast quantity of public domain which has been affected by fraudulent claims in the Territories of New Mexico and Arizona.

This claim covers a domain princely in extent; beginning with the Colorado River that divides the State of California from the Territory of Arizona, entirely across the latter Territory, and extending some 50 miles into the Territory of New Mexico. It contains over 12,000,000 acres of the very best land of the two Territories. Within its limits are included Tombstone, Tucson, Phœnix, Clifton, and half a dozen other towns; it also includes the famous Salt Lake Valley, in Arizona, the town of Silver City, Pinos Altos, Georgetown, and a large territory of valuable mining lands in New Mexico.

The Southern Pacific Railroad crosses it for some 300 miles in extent. By this claim every interest, agricultural, grazing, and mineral, has been affected. Hundreds if not thousands of farmers and miners were compelled to pay tribute to the claimant before the cloud which overshadowed their titles could be removed.

It is said that the Southern Pacific Railroad paid $50,000 for its right of way, and that the owner of a single mine has paid as much more, while hundreds of persons have been compelled to pay smaller amounts, and the money realized has been estimated by the claimant to exceed half a million dollars, and the damage done by preventing settlers upon the agricultural lands and the development of the mines can not be estimated. It is well known that many persons were prevented from settling thereon for fear of litigation connected with these claims.

The history of the Peralta-Reavis claim, its conception and prosecution, reads more like a romance than an incident in real life. It had its inception more than forty years ago, since which time the parties prosecuting it have shown a zeal, energy, and intelligence worthy of a better cause. They have stopped at nothing necessary to prove their title of record. Forgeries have been committed in the decrees of judgment, grants, and writs of juridical possession, and copies of the forgeries filed not only in the court where the cause was proceeding but in the archives of Arizona, New Mexico, California, and various places in the Republic of Mexico and in the Kingdom of Spain. The church records have been manipulated and changed to show entries of marriages, births, and deaths of fictitious persons necessary to cfeate the chain of title.

So far as the papers of record were concerned, upon their face no case pending in the land court appeared to stand upon a better footing than this, and the Government is to be congratulated upon the energy and ability displayed by the very efficient attorney, Mr. Matt G. Reynolds, and his associates, in hunting down and proving the vast number of title papers filed to have been forgeries. It is even said that not a single paper of all of the great number filed of record in this case is genuine.

Here we find that one claim, fraudulent in toto, has been sufficient to reserve from sale and location, from settlement and development, over 12,000,000 acres of land.

The United States attorney, Reynolds, in a recent statement says:

A fair estimate of the amount of land claimed, in suits which have and will be prosecuted to final judgment is about 50,000,000 acres in addition to this. Seven suits had been filed which upon demurrer being sustained by the court were dismissed. These seven suits were for over 300 square leagues. They have not been taken into the general account of the litigation, because it was apparent on the face of the papers that they were spurious.

Mr. Reynolds estimates the total amount of land claimed in the suits of New Mexico that have been disposed of by the court to be 6,800,667 acres. Of this amount the court has confirmed titles to 1,846,456 acres and rejected claims to 4,954,211 acres. This does not include the Peralta claim of 12,467,456 acres, which lies in Arizona and New Mexico.

An instance of the wrong done to the citizens by the unjust provision of this law is found in the following: A grant was made by the Spanish Government, about the year 1745, to one Nicolas Duran de Chaves of a very valuable tract of agricultural land situated upon the banks of the Rio Grande. He immediately took possession thereof and occupied the same with his family, and he and his descendants and their assigns have continued in the possession of these lands from the date of the grant to the present time. There are probably several thousand persons now residing thereon claiming title from the original grantee.

This grant was submitted to the surveyor general of New Mexico for examination, and by him approved in part and in part rejected, but for some reason the surveyor-general declined to have the Department withdraw from sale any portion of the land included in such grant. This being the case, the land remained in open market. One of the heirs applied to the land office to enter, and did actually enter, 160 acres of the land included in this entry, making the proof without the knowledge of the other settlers, who were all of Spanish descent, few of them understanding the English language.

There was included in this entry a part of the town of Las Chaves, the home of sixteen different parties, with twelve vineyards, ten or twelve orchards, a store, a post-office, and a church, and most of the parties occupying this land had been born in the homes which they occupied.

Armed with a Government patent, the grantee brought suits of ejectment against the other occupants and settlers. At the trial they attempted to prove title under the Spanish grant, when they were met with the answer that the court had no jurisdiction to try the validity of a Spanish grant, and that the Government patent was conclusive, and with the further answer that the statute of limitations did not begin to run until the Government had issued its patent. The decree was against the settlers, and the sixteen different families were ousted from their homes. Finally on June 26, 1890, the lands were withdrawn from sale.

Afterwards the Court of Private Land Claims was established, and the owners of the grant brought suit in that court against the Government, and obtained a decree declaring that their title was a good and valid title emanating from the Government of Spain, and that the lands never had belonged to the United States; yet by a provision of the act creating the Court of Private Land Claims it was provided that claimants bringing their suit before that court should release to the United States for $1.25 per acre all lands which had been sold by the Government, thus depriving these particular settlers and others in like condition of any remedy except to accept $1.25 per acre for their *houses,* vineyards, and orchards, which were in many instances worth

hundreds of dollars per acre, and these people are now absolutely without redress. They can not sue the Government, and the act fixes the measure of their damages. A greater outrage was never perpetrated by a powerful government upon weak and helpless citizens. There are many other cases of like character throughout the Territory, but I am glad to be able to say none where the injustice done was so glaring and outrageous as this.

The Interior Department has recently held that entries made upon these grants since the establishment of the Court of Private Land Claims, and while reserved from sale and location, and while the case of the claimant was pending in that court, and only a few days before final judgment was rendered, a final certificate issued by the Commissioner of the General Land Office would convey the title and deprive the grantee of his property, doing away with the well-known doctrine of lis pendes, and in this instance it was shown that the party had actual knowledge of the existence of the suit.

I can not think that it was the intention of Congress to do these adopted citizens this great wrong, and I believe that the honor of our Government demands that the injury be righted. I would therefore recommend the passage of a law permitting the owners of these lands, where they have been sold by the Government, to bring suit against the Government, either in the Court of Private Land Claims in this Territory or in the Court of Claims in Washington, to recover the actual value of their lands sold.

Another matter in connection with this subject that in my opinion demands immediate action upon the part of the Department is in connection with the small-holdings clause of the act establishing the Court of Private Land Claims.

This act is so framed as to work great injustice to some of the claimants. In section 16 it is, among other things, provided that in any township hereafter to be surveyed, "if at the time of the survey it be made to appear that any person has through himself, his ancestors, grantors, and other legal successors in title or possession been in the continuous, adverse, actual bona fide possession of any tract of land or in connection therewith of other lands, residing thereon as his home, all together not exceeding one hundred and sixty acres in such township for twenty years next preceding the time of making such survey, the deputy shall recognize and establish the lines of such possession and make the subdivision of the adjoining lands in accordance therewith;" while under section 17, referring to the same class of claims upon lands in the townships heretofore surveyed, the law requires that they shall have been in actual, continuous, adverse possession for more than twenty years next preceding such survey.

The larger number of claimants under the small-holdings act are situated upon tracts of land which were claimed under the Spanish or Mexican grants in good faith by persons who believed their title to the larger tracts to be good, but which grants, upon investigation, proved to be void either as forgeries or because made by officers who did not possess the authority to make them.

Under the act of 1854, where such lands were reserved from sale and location since the claim was made, public surveys have been extended over many of these tracts, or portions thereof, as early as 1862. Now, by the provisions of the two above-mentioned sections, claimants residing in two adjoining townships, one of which may have been surveyed thirty years ago, would have to prove twenty years' residence prior to the survey; while the other, residing in the township not yet surveyed,

and which may not be surveyed for ten or twenty years to come, would only have to prove twenty years' continuous residence prior to the time of the survey being made. I can see no reason where two claimants, claiming under the same title, occupying lands in adjoining townships, one surveyed the other unsurveyed, for compelling one to prove fifty or sixty years' possession and the other possibly not more than five or ten—as the survey may be made in the distant future.

Another matter affecting these claims is that of the statute of limitations. By the law all small-holdings claims were to be filed with the surveyor-general of the proper State or Territory "within two years next after the 1st day of December, 1892."

As before stated, these claims are mostly upon tracts claimed by Spanish or Mexican grant—some of the grants, as I have already shown, cover very large areas of land—which have, since December, 1892, been proven void. Others are pending, which I am satisfied in the future will be declared to be void.

Now, it is not consistent that the bona fide claimant under such grants should prosecute his cause in the Court of Private Land Claims under a claim of title and at the same time file a claim with the surveyor-general under the small-holdings provision, so that those parties whose cases are not yet determined are virtually estopped from at this time taking advantage of this provision, and when in the future the grants are declared to be void it will be too late for them to hold even that portion which they have been in actual possession of, probably for several generations. On most of these grants there are a great many of these small claimants that it would be unjust to deprive of their homes. I would therefore recommend the change of the law so as to give to these claimants twelve months after the close of the business of the Court of Private Land Claims within which to file their claims, and place the claimants residing upon the surveyed and unsurveyed land upon the same footing as to the length of residence to be proven.

The records of the surveyor-general show that there are on file 3,205 of these claims. Four hundred and sixty-eight of them have been surveyed and 436 platted, but owing to the failure of the Commissioner of the General Land Office to file the regulations with the local land offices there is no provision made by which any of these parties may obtain their patents. This has in many instances worked great hardship to the claimants, as it virtually prevents them from selling or mortgaging their property for anything like its real value.

I should therefore recommend that in pursuance of the provisions of the act creating the Court of Private Land Claims the Department cause to be promulgated the regulations necessary for the issuing of patents to these claimants, providing that proper notice should be given in some paper published in the county or land district where the lands are situated, giving contestants an opportunity to appear and contest their claims, together with such other rules and regulations as to the Department may seem just and proper.

There have been tried by this court 108 cases, which have gone to judgment or are now under advisement by the court. The labor of investigating the records in these cases, of verifying the translations, of searching for alterations and forgeries, and also of determining the questions of their compliance with the laws, as well as the manner of execution, has been very great. The cases, after the expert work of examination has been done, must be taken up by the United States attorney and gone over carefully to determine whether the Government has any defense. Under such circumstances I think the court has made

rapid progress in disposing of 108 cases, practically, since the 3d of March, 1893. The remainder of the litigation pending in this court is quite as important as that already tried, but the labor will be easier on account of the experience gained in the cases tried.

The work of the Court of Private Land Claims in detail, from its inception to date, is found in the following list of the cases finally confirmed, with number of acres rejected and confirmed by the decrees:

Confirmed prior to June, 1893.

No.	Name.	County.	Estimated number of acres claimed.	Estimated number of acres confirmed.
1	Cubero	Valencia	47,743	16,000
4	San Antonio del Rio Colorado	Taos	18,000	.....
5	Arroyo Hondo	....do	23,040	23,040
6	Sebastian de Vargas	Santa Fe	41,000	14,000
7	B. M. Montado	Bernalillo	151,000	43,597
8	Albuquerque	....do	17,361	17,361
9	Lucero de Godoi	Taos	40,000	27,006
10	Rancho del Rio Grande	....do	109,043	109,043
11	Alameda	Bernalillo	106,244	106,244
12	José Duran	Santa Fe	426	.....
13	Socorro	Socorro	17,361	17,361
14	Fr. Montes Vigil	Rio Arriba	35,000	35,000
15	Antonio Sedillo	Bernalillo and Valencia	152,879	88,000
16	Gijosa	Taos	20,000	20,000
18	Pachecho	Santa Fe	500	500
21	Cristobal de la Serna	Taos	30,000	30,000
22	San Marcos	Santa Fe	1,890	1,890
26	Rancho de Galvan	Bernalillo	30,000	.....
27	San Antonito	....do	32,000	.....
28	Nuestra Señora, etc	Rio Arriba	20,000	20,006
30	Piedra Lumbre	....do	39,062	39,062
31	Luis Jaramillo	Bernalillo	18,000	18,000
35	Jacona	Santa Fe	46,241	36,241
39	Caja del Rio	....do	70,000	60,009
49	Domingo Valdez	....do	500	500
50	Zia, Santa Ana, and Jemez Pasture Grant	Bernalillo	382,849	.....
53	Canada de los Alamos	Santa Fe	13,706	9,500
57	Nicolas Duran de Chaves	Valencia	50,000	49,000
100	Canon de San Diego	Bernalillo	10,000	.....
	Estimated total		1,558,875	815,839

Confirmed between June, 1893, and June, 1894.

No.	Grant.	Area claimed.	Area confirmed.	Area rejected.
		Acres.	*Acres.*	*Acres.*
2	Plaza Colorado	19,200	19,200	.....
6	De Vargas	45,000	15,000	30,000
23	Santa Teresa de Jesus	6,886	.....	6,886
25	San Miguel El Vado	315,300	315,300	.....
30	Pedro Lumbra	30,000	30,000	.....
31	Luis Jaramillo	18,000	18,000	.....
32	Plaza Blanca	16,000	16,000	.....
35	Jacona	45,000	45,000	.....
37	Antonio Chaves	130,138	.....	130,138
39	Caja del Rio	60,000	.....	.....
61	Bartolome Fernandez	25,000	25,000	.....
128	.....	.....	.....	.....
66	Bosque Grande	4,000	.....	4,000
72	Arroyo de los Chamisos	1,500	.....	1,500
80	City of Santa Fe	17,361	17,361	.....
202	.....	.....	.....	.....
86	Juan de Gabaldon	12,000	12,000	.....
94	.....	.....	.....	.....
88	Ojo Caliente	40,000	10,000	30,000
98	Canada de San Francisco	1,600	.....	1,600
100	Canyon de San Diego	10,000	.....	10,000
103	Juan Cavetano, Labato	1,000	.....	1,000
105	Antonio Dominguez	500	.....	500
116	Talaya	2,000	500	1,500
150	Juan Jose Lovato	100,000	50,000	1,500
180	Roque Lobato	2,000	.....	2,000

Confirmed between June, 1893, and June, 1894—Continued.

No.	Grant.	Area claimed.	Area confirmed.	Area rejected.
		Acres.	*Acres.*	*Acres.*
43	Polverada	35,000	35,000	.....
46	Nolan	575,968	.....	575,968
48	Corpus Christi	696,960	.....	696,960
49	Domingo Valdez	500	.....	500
50	Zia, Santa Ana and Jemez	276,000	.....	276,000
51	Rancho de Albuquerque	40,000	40,000	.....
106	.....	.....	.....	.....
52	Abiquiu	13,000	13,000	.....
53	Lorenzo Marquez	13,700	13,700	.....
55	Cevilleta	224,770	224,770	.....
57	Nicolas Duran	50,000	50,000	.....
		2,828,383	949,831	1,770,052

Statement of suits tried in the Court of Private Land Claims from August 13, 1894, to June 26, 1895.

No.	Grant.	Area claimed.	Area confirmed.	Area rejected.
		Acres.	*Acres.*	*Acres.*
17	Canada de Santa Clara	90,000	2,000	88,000
38, 76, 207	Miera y Pacheco and Padilla	148,862	4,340	144,522
45	Town of Atrisco	67,491	67,491	.....
74	Canyon de Carnue	90,000	1,000	89,000
78	Los Cerrillos	2,284	2,284	.....
79	Sitio de los Cerrillos	535	535	.....
82	Sitio de Juana Lopez	1,265	1,265	.....
107	Canyon de Chama	472,736	2,736	470,000
54	Galisteo	24,000	348	23,652
58	Bartolome Baca	650,000	47,740	602,260
56	Medina	70,000	8,000	62,000
65	Rio del Pueblo	20,000	.....	20,000
63	El Tajo	24,800	.....	24,800
68	Baltazar Sisneros	20,000	300	19,700
73	Pajarito	45,000	45,000	.....
89	La Majada	20,000	20,000	.....
33	Ysleta	65,628	.....	65,628
41	Rito de los Frijoles	100,000	.....	100,000
95, 195	Ojo de Borrego	120,000	17,361	102,639
130, 182	Ojo de San Jose	17,361	17,361	.....
161	La Peralta	400,000	.....	400,000
205, 240	Canada de Cochiti	104,554	5,000	99,554
96	Santa Barbara	18,489	18,489	.....
55	Cevilleta	224,770	224,770	.....
6	Sebastian de Vargas*	27,000	.....	27,000
34	Ygnacio Chaves	243,056	47,743	195,313
67	Felipe Tafoya	22,578	4,340	18,238
70	Antonio Baca	46,653	46,653	.....
75	San Mateo Spring	17,000	4,340	12,660
83	La Gotera	1,800	.....	1,800
110	Peralta†	12,467,456	.....	12,567,456
59	Juan Gid	108,500	.....	108,500
		15,731,818	589,096	15,142,722

* The judgment in this case as to the amount confirmed did not become final until February 6, 1895, upon the decision by the court of plaintiff's motion for review.

† Of the total area of the Peralta grant about 2,000,000 acres are situated in New Mexico, the remainder being in Arizona.

The following suits were dismissed on motion of plaintiffs:

No.	Area claimed.	No.	Area claimed.
	Acres.		*Acres.*
62	6,000	221	95,480
158	18,000	222	95,480
245	434,028	244	434,028
246	434,028	247	434,028
218	190,960		
219	95,480	Total	2,238,512

The Petaca grant, suits Nos. 99, 153, and 233, was tried at the May term, 1895, and taken under advisement.

The following private land claims have been surveyed, in pursuance of confirmation by the Court of Private Land Claims, during the fiscal year ending June 30, 1895:

Rep. No. 49, Bernabe M. Montaño grant.
P. L. C. No. 13, town of Socorro grant.
Rep. No. 155, Nicolas Duran de Chavez grant.
P. L. C. No. 140, Juan Jose Lobato grant.
Rep. No. 77, Ojo Caliente grant.

Contracts have been awarded for the survey of the following confirmed private land claims:

Rep. No. 95, Cevilleta grant.
Rep. No. 138, Pueblo de Santa Clara.
P. L. C. 28, Nuestra Señora del Rosario, San Fernando y Santiago grant.
Rep. No. 114, Santa Barbara grant.
P. L. C. 89, La Majada grant.
Rep. No. 140, Abiquiu grant.
Rep. No. 148, Plaza Blanca grant.
Rep. No. 149, Plaza Colorada grant.
P. L. C. 56, Black Mesa grant.
P. L. C. 68, Antonio de Abeytia grant.
Rep. No. 65, Juan de Gabaldon grant.
Rep. No. 78, Bartolome Fernandez grant.
P. L. C. Nos. 130 and 182, Ojo de San Jose grant.

The surveys of 11 private land claims have been approved by the Court of Private Land Claims, as follows:

	Acres.
Rep. No. 116, Lucero de Godoi grant	61,605
Rep. No. 58, Rancho del Rio Grande grant	91,813
P. L. C. 13, Town of Socorro grant	17,321
Rep. No. 128, Francisco Montes Vigil grant	8,253
P. L. C. 18, Pacheco grant	581
Rep. No. 158, Cristoval de la Serna grant	22,232
Rep. No. 102, San Marcos Pueblo grant	1,895
Rep. No. 63, Caja del Rio grant	66,848
Rep. No. 53, Cañada de los Alamos grant	7,116
Rep. No. 155, Nicolas Duran de Chavez grant	39,837
Rep. No. 77, Ojo Caliente grant	2,244

There have been 3,205 small-holding claims filed in this office under the provisions of sections 16 and 17 of the act of March 3, 1891, amended February 21, 1893, for tracts of land not to exceed 160 acres, 717 of which have been filed during the said fiscal year, 220 of said claims (335 tracts) have been surveyed, and contracts have been awarded for the survey of 436 of said small holding claims.

The public surveys have been extended over the following townships: T. 12 N., R. 6 E.; 19 N., R. 10 E.; 8 N., R. 7 E.; 14 N., R. 5 E.; 16 S., R. 15 W., and 17 S., R. 11 W., covering 53,845 acres.

Contracts have been awarded as follows:

For the survey of the following townships: Ts. 18 S., R. 21 E.; 16 S., Rs. 36 and 38 E.; 17 and 18 S., R. 35 E., 16 S., R 15 W.; 17 S., R. 11 W.; Fr. Ts. 26, 27, 28, 29, 30, 31, and 32 N., R. 37 E.; 32 N., R. 36 E.; 12 N., R. 5 E., and 21 N., R. 8 E.

For the survey of the third and fourth standard parallels south through Rs. 37 and 38; range line between Rs. 35 and 36, 36 and 37 E., in T. 16 S., between Rs. 37 and 38 E., in Ts. 16, 17, 18, 19, and 20 S., and between Rs. 34 and 35 E., in Ts. 17 and 18 S.; township lines between Ts. 18 and 19 S., through R. 21 E., between Ts. 16 and 17 S., through R. 38 E., and between Ts. 16 and 17, 17 and 18 S., through R. 35 E.

For the survey of the seventh standard parallel north through R. 37 E.; township lines between Frl. Ts. 25 and 26, 26 and 27, 27 and 28, 29 and 30, 30 and 31, and 31 and 32 N., in R. 37 E.; fractional township lines between Ts. 11 and 12 N., in R. 5 E.; range line between Rs. 36 and 37 E., through Frl. T. 32 N., and between 4 and 5 E., through Ts. 11 and 12 N.

For the survey of the exterior boundary lines of 26 Navajo Indian homestead claims in Ts. 10 and 11 N., R. 3 W.

For the survey of the connecting lines on west boundary of Pedro Armendaris grant, in T. 13 N., R. 4 W.

During said fiscal year 1,032 miles of different lines have been run and established.

Thirty-eight mining claims have been surveyed and the survey of same approved during said fiscal year.

There have been 39 mining claims patented during said fiscal year.

United States Attorney Reynolds has recently stated that there is only one great danger left to the Government with reference to litigation in the Court of Private Land Claims, and that is in the surveying of the grants confirmed. Mistakes are going to be made which will result in the grants being stretched, as they were formerly; the only way that this can be avoided is through the office of the United States attorney, and by Congress allowing special agents to examine upon the ground the surveys when he has any reason to suspect they are not correct. The earlier that these surveys are completed, the less likelihood there will be of erroneous surveys or errors.

I therefore desire to renew the recommendation I made in my last annual report to the Secretary of the Interior of the necessity of immediate surveys of these grants which have been confirmed, and to call the attention of the Department to the importance to the Government as well as to the claimants in the completion of this work; until such surveys are made it can not be accurately known where the boundaries of these tracts are located; doubt as to their location prevents in many instances the settlement of the adjacent lands. If the work proceed pari passu with the labors of the land court, it may be handled very easily. If, on the other hand, it be allowed to accumulate, much hardship will be wrought, and the Department greatly embarrassed in the end. Public and private interests therefore suggest immediate action in this matter.

During the year ending June 30, 1895, the following business was transacted in the land offices of the various land districts in New Mexico:

Statement of the business transacted in the Santa Fe land office during the fiscal year ending June 30, 1895.

Class of entry.	Number.	Area.
		Acres.
Homestead entries	123	17,992.54
Final homestead entries	90	13,753.85
Lands sold		552.62
Desert-land entries	13	2,618.36
Final desert-land entries	2	480.00
Coal filings	25	3,680.00
Entries of coal land	4	362.47
Mineral applications	3	300.07
Total		39,739.91
Railroad selections	1,668	266,867.90

Statement of business transacted at the Las Cruces, N. Mex., land office during the fiscal year ending June 30, 1895.

Class of entry.	Number.	Acres.	Commissions.	Fees.	Amount.
Mineral	13	666.72042			$3,370.00
Commuted homestead	7	917.17			1,146.47
Contested homestead	3	398.99			9.55
Original desert land	4	760.72			190.25
Final desert land	1	120			120.00
Final timber culture	1	80		$4.00	
Original homestead	88	10,976.73	$745.00	412.18	
Final homestead	43	6,320.48	240.74		
Preemption cash	4	566.76			708.45
Excess	4	5.69			7.15
Mineral applications	9			90.00	
Adverse mining claim	1			10.00	
Military bounty land warrants	2	333.67			400.00
Fees for making 2 cancellation notices				2.00	
Fees for making 6 plats				16.00	
Fees for making 1 abstract				1.30	
Fees received for 2 military bounty land warrants				8.00	
Fees received for reducing 57,414 words of testimony				128.72	
Total			985.74	672.20	5,951.87

Statement of business transacted at the Roswell land office during the fiscal year ending June 30, 1895.

Class of entry.	No.	Acres.	Commissions.	Fees.	Amount.
Preemptions	5	557.49			$696.86
Original desert entries	29	4,324.95			1,081.25
Excess on homestead entries	8	13.13			16.45
Final desert entries	8	(1,806.30)			1,078.85
Commuted homestead entries	11	(1,559.57)			1,949.46
Commuted timber-culture entries	5	(760.00)			950.00
Total cash entries and amounts received	66	4,895.57			5,076.01
Original homestead entries	134	20,850.22	782.42	$1,320.00	2,102.42
Original timber-culture entries	1	40.00	4.00	5.00	9.00
Final homestead entries	26	(4,083.58)	153.14		153.14
Final timber-culture entries	3	(480.00)		12.00	12.00
Mineral application	1			10.00	10.00
Coal applications	60			180.00	180.00
Soldiers' homestead applications	2			6.00	6.00
Amount received for reducing testimony to writing, etc				330.76	330.76
Total of all classes and amounts received	293	25,785.79	939.56	1,863.76	7,879.33

Salaries and commissions of register and receiver	$2,579.76
Incidental expenses	304.76
Total	2,884.52

Statement of the business transacted at the Clayton land office during the fiscal year ending June 30, 1895.

Class of entry.	Number.	Acres.	Commissions.	Fees.	Amount.
Sales of land subject to preemption entry	3	456.72			$571.00
Excess payments on homestead, timber-culture, and other entries and locations	9	22.39			28.16
Original entries under the desert act	2	640.00			160.00
Homestead entries commuted to cash under section 2301, Revised Statutes	4	640			800.00
Timber-culture entries commuted to cash under act March 3, 1891					
Total cash sales	18	1,759.11			1,559.16
Original homestead entries	124	19,278.78	$727.70	$1,220.00	1,947.70
Final homestead entries	41	6,473.24	246.00		246.00
Applications to purchase coal lands					
Amount received for reducing testimony to writing				124.17	124.17
Total of all classes of entries, and amount received therefrom	183	26,511.13	973.70	1,344.17	3,877.03
Salaries, fees, and commissions of register and receiver					2,251.51
Expense of depositing					95.00
Incidental expenses					688.80
Total					3,035.31

PUBLIC SURVEYS.

By the report of the surveyor-general of New Mexico I find that the following private land claims have been surveyed in pursuance of confirmation by the Court of Private Land Claims during the fiscal year ending June 30, 1895:

Rep. No. 49, Bernabe M. Montaño grant.
P. L. C. docket No. 13, town of Socorro grant.
Rep. No. 155, Nicolas Duran de Chavez grant.
P. L. C. docket No. 140, Juan Jose Lobato grant.
Rep. No. 77, Ojo Caliente grant.

Contracts have been awarded for the survey of the following confirmed private land claims:

Rep. No. 95, Cevilleta grant.
Rep. No. 138, Pueblo de Santa Clara grant.
P. L. C. 28, Nuestra Señora del Rosario San Fernando y Santiago grant.
Rep. No. 114, Santa Barbara grant.
P. L. C. 89, La Majada grant.
Rep. No. 140, Abiquiu grant.
Rep. No. 148, Plaza Blanca grant.
Rep. No. 149, Plaza Colorada grant.
P. L. C. 56, Black Mesa grant.
P. L. C. 68, Antonio de Abeytia grant.
Rep. No. 65, Juan de Gabaldon grant.
Rep. No. 78, Bartolome Fernandez grant.
P. L. C. Nos. 130 and 182, Ojo de San Jose grant.

The surveys of 11 private land claims have been appproved by the Court of Private Land Claims, as follows:

	Acres.
Rep. No. 116, Lucero de Godoi grant	61,605
Rep. No. 58, Rancho del Rio Grande	91,813
P. L. C. 13, Town of Socorro grant	17,321
Rep. 128, Francisco Montes Vigil	8,253
P. L. C. 18, Pacheco grant	581
Rep. No. 158, Cristoval de la Serna	22,232

	Acres.
Rep. No. 102, San Marcos Pueblo grant	1,895
Rep. No. 63, Caja del Rio grant	66,848
Rep. No. 53, Cañada de los Alamos grant	7,116
Rep. No. 155, Nicolas Duran de Chavez grant	39,837
Rep. No. 77, Ojo Caliente grant	2,244

There have been 3,205 small holding claims filed in this office under the provisions of sections 16 and 17 of the act of March 3, 1891, amended February 21, 1893, for tracts of land not to exceed 160 acres, 717 of which have been filed during the last fiscal year. Two hundred and twenty of said claims (335 tracts) have been surveyed, and contracts have been awarded for the survey of 436 of said small holding claims.

The public surveys have been extended over the following townships: Ts. 18 S., R. 21 E.; 16 S., Rs. 36 and 38 E.; 17 and 18 S., R. 35 E.; 16 S., R. 15 W.; 17 S., R. 11 W.; Frl. Ts. 26, 27, 28, 29, 30, 31, and 32 N., R. 37 E.; 32 N., R. 36 E.; 12 N., R. 5 E., and 21 N., R. 8 E.

For the survey of the third and fourth standard parallels south, through Rs. 37 and 38; range line between Rs. 35 and 36, 36 and 37 E., in T. 16 S.; between Rs. 37 and 38 E., in Ts. 16, 17, 18, 19, and 20 S., and between Rs. 34 and 35 E., in Ts. 17 and 18 S.; township lines between Ts. 18 and 19 S., through R. 21 E.; between Ts. 16 and 17 S., through R. 38 E., and between Ts. 16 and 17, 17 and 18 S., through R. 35 E.

Seventh standard parallel north, through R. 37 E.; township lines between Frl. Ts. 25 and 26, 26 and 27, 27 and 28, 29 and 30, 30 and 31, and 31 and 32 N., in R. 37 E.; fractional township lines between Ts. 11 and 12 N., in R. 5 E.; range line between Rs. 36 and 37 E., through Frl. T. 32 N., and between 4 and 5 E., through Ts. 11 and 12 N.

For the survey of the exterior boundary lines of 26 Navajo Indian homestead claims in Ts. 10 and 11 N., R. 3 W.

Connecting lines on west boundary of Pedro Armendaris grant in T. 13 N., R. 4 W.

During said fiscal year 1,032 miles of different lines have been run and established.

Thirty-eight mining claims have been surveyed and the survey of the same have been approved during the said fiscal year.

There has been 39 mining claims patented during the said fiscal year.

TAXABLE PROPERTY.

The assessed valuation of the real and personal property in the various counties in the Territory for the year 1894 is shown by the following table from the Territorial auditor's report.

As stated in my last report, it should be taken into consideration, however, in connection with the value of real estate, that fully three-fourths of the lands of this Territory held by private ownership consist of unconfirmed grants with imperfect titles, and are not subject to taxation until after the confirmation of the title, and therefore a very large portion of this class of property has escaped assessment. We hope this will be changed at an early date, as the result of the work of the Court of Private Land Claims.

Below is submitted an itemized valuation of real estate and live stock in the several counties of the Territory for the year 1894:

Counties.	Lands.		Houses and improvements.		Horses.		Mules.	
	Acres.	Value.	No.	Value.	No.	Value.	No.	Value.
Bernalillo	.....	$2,572,290.00	.....	$1,286,154.00	3,000	$67,249.00	350	$11,200.00
Chaves	121,047	507,632.00	.....	141,295.00	3,476	75,209.00	229	12,146.00
Colfax	1,395,600	1,746,000.00	.....	339,252.00	4,350	89,960.00	250	7,500.00
Donna Ana	90,638	529,270.00	.....	408,260.00	2,146	44,920.00	106	4,240.00
Eddy	76,689	902,121.70	.....	302,787.00	6,086	107,381.00	451	31,584.00
Grant	.....	292,827.00	.....	663,640.00	7,680	169,043.00	316	10,285.00
Guadaloupe	.....	640,899.80	.....	53,783.30	2,450	46,636.50	127	3,136.00
Lincoln	77,703	329,807.00	.....	247,449.00	7,176	129,360.00	166	5,860.00
Mora	.....	646,742.00	.....	97,945.30	2,729	53,515.69	156	4,470.01
Rio Arriba	60,563	225,001.00	.....	99,127.65	2,250	47,900.89	116	4,048.54
San Juan	48,005	258,021.11	.....	73,255.59	2,664	62,263.48	74	2,304.45
Santa Fe	.....	586,054.04	.....	780,420.12	1,297	29,158.76	168	6,646.17
San Miguel	.....	2,014,925.71	.....	787,300.77	5,524	113,809.88	365	10,683.58
Sierra	279,525	176,466.53	.....	264,161.65	3,156	55,458.00	159	6,426.23
Socorro	443,370	494,978.90	.....	316,243.80	5,167	90,688.50	331	8,361.90
Taos	624,126	266,405.00	.....	5,090.00	1,500	31,200.00	100	5,000.00
Valencia	1,671,467	591,467.89	.....	102,883.00	3,031	49,957.00	260	6,841.00
Total	4,888,733	12,780,909.77	.....	5,969,048.16	63,623	1,263,613.65	3,724	140,732.88

Upon the foregoing property the rate of assessment for the year 1894 is as follows: For Territorial purposes, 6 mills on the dollar; for casual deficit bonds, interest, 25 mills on the dollar; for Territorial institutions, 1.50 mills on the dollar; total rate of 7.75 mills on the dollar. To the above rate is added one-half of a mill on the assessed value of cattle.

Value of lands and houses and of certain kinds of personal property in the different counties assessed for taxes in the year 1894.

County.	Agricultural lands.				Pastoral or grazing lands.	
	Acres.	Value of land.	Value of improvements.	Total value land and improvements.	Acres.	Value of land.
Bernalillo	.....	$267,000.00	$255,572	$522,572.00	.....	$2,088,640.00
Chaves	130,156	538,755.00	151,230	689,985.00	.....	.....
Colfax	18,275	48,740.00	.....	48,740.00	1,347,921	880,382.00
Donna Ana	45,485	536,790.00	265,860	802,650.00	46,680	70,020.00
Eddy	50,938	422,732.00	84,733	507,465.00	30,360	45,581.00
Grant	20,226	75,490.00	77,655	153,145.00	34,613	41,330.00
Guadaloupe	.....	13,276.00	4,875	18,151.00	.....	331,175.00
Lincoln	7,508	109,039.00	66,988	176,027.00	65,190	115,375.00
Mora	564,589	320,123.00	59,821	379,944.00	180,834	118,744.00
Rio Arriba	7,895	59,601.60	21,474	81,084.60	74,173	176,663.75
San Juan	40,079	349,663.77	86,103	435,766.77	16,645	12,484.08
San Miguel	.....	1,225,902.00	718,918	1,944,820.00	1,062,483	3,103,675.00
Santa Fe	.....	139,376.00	59,244	198,620.00	.....	121,940.00
Sierra	2,811,623	263,304.23	226,276	489,580.23	.....	.....
Socorro	7,816	68,795.00	50,451	119,246.00	419,864	299,555.00
Taos	.....	40,000.00	10,000	50,000.00	.....	704,958.16
Union	.....	.....	.....	.....	167,533	208,656.25
Valencia	6,521	56,219.00	43,724	99,943.00	1,697,284	781,976.50

***Value of lands and houses and of certain kinds of personal property, etc.*—Continued.**

County.	Pastoral or grazing lands.		City or town lots.				Toll roads.	
	Value improvements.	Total value land and improvements.	No.	Value lots.	Value buildings, improvements.	Total value lots, buildings, and improvements.	Miles.	Value.
Bernalillo		$2,088,640.00		$987,403	$735,537.00	$1,722,940.00		
Chaves			2,834	170,894		170,894.00		
Colfax		880,382.00	2,194	147,775	300,586.00	448,361.00		
Donna Ana	$9,100.00	79,120.00			216,940.00	216,940.00		
Eddy	24,225.00	69,806.00	1,411	140,076	199,693.00	339,769.00		
Grant	103,190.00	144,520.00	5,381	108,750	431,645.00	540,395.00		
Guadaloupe	24,340.00	355,515.00		9,940	1,501.00	11,441.00		
Lincoln	60,680.00	176,655.00	1,186	39,859	91,948.00	131,807.00		
Mora	14,952.00	133,696.00	139	5,601	25,984.00	31,585.00		
Rio Arriba		176,663.75	154	525	67,376.50	67,901.50		
San Juan		12,484.08	563	6,710	15,050.00	21,760.00		
San Miguel		3,103,675.00			5,550.00	5,550.00		
Santa Fe	25,000.00	146,940.00		129,018	740,746.00	869,764.00		
Sierra							5	$750
Socorro	67,168.00	366,723.00	3,231	132,237	230,665.00	362,902.00		
Taos		704,958.16		10,000		10,000.00		2,000
Union	70,058.50	278,714.75	439	30,222	70,829.25	101,051.25		
Valencia	32,143.00	814,119.50						

County.	Toll bridges.	Telegraph and telephone lines.	Ditches or canals for manufactures and mines.	Ditches for irrigation.	Water storage reservoirs.	Railroads—standard gauge.		
						Value with rolling stock.	Value buildings, tools, machinery.	Total value track, rolling stock, buildings.
Bernalillo		$4,219.00			$31,000	$891,510	$104,435.00	$995,945.00
Chaves								
Colfax		6,500.00	$45,000					530,900.00
Donna Ana		7,766.80				1,236,175	22,629.20	1,258,804.20
Eddy		7,104.00						
Grant		3,175.00						1,066,549.00
Guadaloupe								
Lincoln								
Mora		1,960.00				266,805	8,615.00	275,420.00
Rio Arriba		3,007.50	150					
San Juan								
San Miguel		1,840.00		$266,935	218,200			698,780.00
Santa Fe		3,560.00			10,000	409,990	21,575.00	431,565.00
Sierra		2,989.30			2,000			355,640.30
Socorro						752,560	42,070.00	794,630.00
Taos	$1,500	1,175.00	400					
Union		4,220.00						560,600.00
Valencia								

County.	Railroads—narrow gauge.			Mines.		Saw and flouring mills, steam or water power.	Notes, book accounts, etc.	Steam engines.
	Value with rolling stock.	Value buildings, tools, etc.	Total value track, rolling stock, buildings.	Value surface improvements.	Value net product.			
Bernalillo						$13,000	$14,560	
Chaves							32,801	
Colfax						30,000		$57,000
Donna Ana				$15,600.00	$18,200.00	9,000	6,000	1,000
Eddy							30,611	600
Grant			$79,970	67,485.00	1,995.00			12,008
Guadaloupe							2,342	
Lincoln				29,208.00		21,270	25,321	6,275
Mora						7,050	11,612	
Rio Arriba	$280,000	$20,885	300,885			28,300	1,200	17,190
San Juan						150	4,903	
San Miguel						10,802	32,830	100
Santa Fe	99,520	5,100	104,620	105,855.00		6,715	21,386	11,835
Sierra				1,503.70	1,896.05	800		
Socorro				44,155.00	23,840.00	8,365	4,026	7,750
Taos	122,200	12,900	135,100			9,250	29,651	
Union						12,650	15,950	135
Valencia								

Value of lands and houses and of certain kinds of personal property, etc.—Continued.

County.	Horses.		Mules.		Cattle.		Sheep.	
	No.	Value.	No.	Value.	No.	Value.	No.	Value.
Bernalillo	.....	$10,970	.....	$4,542	.....	$38,145.00	.....	$48,060.00
Chaves	3,579	74,511	394	16,305	77,233	466,574.00	74,478	74,478.00
Colfax	3,630	79,500	150	7,500	29,500	192,417.00	72,000	51,000.00
Donna Ana	1,984	38,640	97	3,520	22,648	177,180.00	10,684	11,674.00
Eddy	5,945	87,185	467	25,794	28,192	146,417.00	58,600	61,183.00
Grant	5,876	114,509	229	6,320	119,192	655,555.00	18,561	17,400.00
Guadaloupe	1,599	28,440	96	2,318	12,912	77,415.00	155,650	142,051.00
Lincoln	7,463	115,993	197	7,008	84,711	592,979.00	69,496	68,383.00
Mora	2,223	43,315	130	3,740	6,626	47,703.00	56,576	44,910.00
Rio Arriba	2,104	38,446	95	2,539	3,440	27,076.00	99,255	75,589.50
San Juan	2,752	57,802	69	2,048	4,326	37,116.00	17,049	12,751.50
San Miguel	4,053	67,798	280	6,406	23,988	164,528.00	186,115	143,348.00
Santa Fe	1,305	28,144	151	4,597	2,553	19,681.00	46,443	32,470.00
Sierra	3,403	60,456	167	5,316	29,526	202,966.70	5,076	6,181.00
Socorro	5,108	96,639	322	8,440	73,554	492,556.00	41,913	34,027.00
Taos	.....	10,000	.....	2,000	.....	5,000.00	.....	10,000.00
Union	2,219	14,282	80	2,064	37,531	249,988.00	269,798	222,169.00
Valencia	2,652	45,412	212	4,915	13,054	90,819.00	190,824	157,026.00

County.	Goats.		Swine.		Burros.		Carriages, wagons, and vehicles of all kinds.	
	No.	Value.	No.	Value.	No.	Value.	No.	Value.
Bernalillo	.....	$960.00	.....	$670.00	.....	$1,150.00	.....	$13,768
Chaves	140	107.00	307	915.00	141	1,049.00	383	11,711
Colfax	2,210	1,205.00	450	1,680.00	160	1,000.00	577	14,450
Donna Ana	1,243	1,465.00	146	200.00	52	335.00	342	10,120
Eddy	3,526	3,160.00	953	3,068.00	61	440.00	533	15,694
Grant	10,656	7,455.00	519	1,306.00	89	494.00	735	21,817
Guadaloupe	2,258	1,223.00	44	104.00	523	1,728.00	412	7,627
Lincoln	13,143	20,862.00	572	1,154.00	170	733.00	600	15,028
Mora	4,104	2,899.00	585	981.00	166	375.00	689	12,834
Rio Arriba	2,657	1,580.00	219	404.00	299	1,200.50	513	10,133
San Juan	935	480.00	557	1,700.50	75	241.00	511	10,943
San Miguel	8,940	5,080.00	338	769.00	664	2,021.00	1,158	24,296
Santa Fe	3,104	1,665.00	144	370.00	390	1,198.00	589	18,488
Sierra	8,980	12,903.50	248	780.50	151	894.90	377	10,781
Socorro	3,394	5,702.00	222	782.00	272	1,514.00	857	22,239
Taos	.....	2,000.00	.....	500.00	.....	1,000.00	.....	3,000
Union	901	512.25	142	424.00	465	1,365.00	283	5,783
Valencia	1,256	780.00	151	334.00	350	953.00	761	15,194

County.	Sewing machines.		Saddles and harness.	Merchandise.	Capital in manufactures.	Farming implements.	Fixtures of saloons, offices, and other business places.
	No.	Value.					
Bernalillo	.....	$745.00	$3,080.00	$488,950	$16,400	$2,465.00	$5,775
Chaves	142	2,381.00	4,223.00	48,206	.....	3,009.00	3,230
Colfax	.....	.....	5,910.00	212,650	7,100	8,500.00	.....
Donna Ana	47	510.00	260.00	76,600	360	8,800.00	400
Eddy	163	2,250.00	6,279.00	82,139	.....	10,349.00	4,684
Grant	261	3,193.00	6,291.00	250,645	900	3,030.00	16,320
Guadaloupe	109	1,383.00	2,611.00	8,930	.....	1,019.00	105
Lincoln	260	3,681.00	6,069.00	53,162	.....	5,114.00	3,756
Mora	244	3,061.00	4,719.00	54,714	150	8,156.00	1,107
Rio Arriba	192	2,663.50	5,373.00	32,887	.....	2,984.50	.....
San Juan	.....	2,452.00	5,463.00	11,337	260	6,676.00	385
San Miguel	493	5,882.00	7,268.00	267,452	1,205	5,469.00	9,105
Santa Fe	366	4,933.00	5,133.00	158,023	.....	1,963.00	10,035
Sierra	.....	2,225.40	4,805.30	77,370	.....	1,693.75	.....
Socorro	348	4,438.00	7,097.00	132,502	21,870	5,046.00	6,484
Taos	159	3,000.00	5,000.00	40,000	.....	1,000.00	500
Union	.....	1,490.00	2,710.00	42,596	.....	478.00	3,970
Valencia	273	4,061.00	5,002.00	47,337	300	3,891.00	979

Value of lands and houses and of certain kinds of personal property, etc.—Continued.

County.	Money.	Bonds, warrants, and coupons.	Watches and clocks.	Books—law, medical, and miscellaneous.	Jewelry.	Gold and silver plate.	Musical instruments.
Bernalillo	$44,995.00			$5,450.00	$9,834.00	$2,515	$9,018.00
Chaves	9,958.00		$2,500.00	1,610.00	472.00	2,804	14,590.00
Colfax	20,000.00			1,250.00	3,000.00	1,200	5,200.00
Donna Ana	600.00		1,640.00	600.00	1,250.00	260	3,680.00
Eddy	26,653.00		3,857.00	2,285.00	649.00	245	5,173.00
Grant	7,830.00		3,888.00	8,031.00	4,310.00		9,650.00
Guadaloupe	500.00	$600.00	349.00	5.00	100.00	40	514.00
Lincoln	10,292.00		3,054.00	2,821.00	1,802.00		2,445.00
Mora	3,681.00	100.00	1,209.00	318.00	812.00		994.00
Rio Arriba	6,650.00			261.00	1,503.50		
San Juan	4,933.00	44.00	1,005.25	232.00	30.00	5	1,400.50
San Miguel	14,748.00	14,450.00	4,400.00	7,496.00	6,022.00		7,704.00
Santa Fe	11,936.00	1,966.00	5,029.00	14,995.00	4,285.00		5,741.00
Sierra	22,898.68	2,106.59	4,955.60	2,066.50			3,815.10
Socorro	1,160.00		2,960.00	2,943.00	2,777.00	5	3,032.00
Taos	4,000.00		500.00	500.00		2,000	2,000.00
Union	4,812.00			1,525.00	286.00		1,240.00
Valencia	4,315.00	2,200.00	1,287.00	297.00	2,022.00	565	1,244.00

County.	Household furniture.	Shares of stock in banks and corporations.	Wheat.		Oats.		Barley.		Corn.
			Bushels.	Value.	Bushels.	Value.	Bushels.	Value.	Bushels.
Bernalillo	$12,224.00	$126,650.00							
Chaves	25,000.00								
Colfax	45,720.00	81,880.00							
Donna Ana	8,900.00								
Eddy	27,863.00	50,250.00							60
Grant	54,240.00	120,771.00						$60	
Guadaloupe	7,882.00					$30			
Lincoln	33,950.00	30,000.00	20	$20	500	375	200	200	900
Mora	13,920.00		1,100	845	5,000	1,512			400
Rio Arriba	13,268.50			10	30	15			
San Juan	10,335.00	10,025.00							
San Miguel	74,059.00	160,000.00		103		100			
Santa Fe	57,136.00	131,048.00		750		5			
Sierra	21,456.00	21,987.62							
Socorro	30,820.00	40,000.00				20			
Taos	10,000.00	5,000.00		1,000		1,000		500	
Union	13,452.00								
Valencia	16,712.00	20.00		18			300	210	173

County.	Corn.	Hay and alfalfa.		Wool.		Lumber.		Coal.	
	Value.	Tons.	Value.	Pounds.	Value.	Feet.	Value.	Tons.	Value.
Bernalillo									
Chaves	$650	1,095	$5,593				$150		
Colfax									
Donna Ana							2,600		
Eddy	50	108	437	2,000	$60	600,000	12,000		
Grant	465		1,221		95		43,740		
Guadaloupe	45		434	16,000	900		25		
Lincoln	698	186	1,490	3,000	277	25,000	282	1	$3
Mora	5,500	331	1,218		800	30,000	150		
Rio Arriba	10	10	105	1,300	320	453,000	5,230		
San Juan	20		250		60				
San Miguel	82		328		90		1,305		4,300
Santa Fe	35		40		1,124	30,000	380		
Sierra	25	167	1,071						
Socorro	25	15	450		110	11,000	1,525	20	115
Taos	1,500		5,000				3,701		
Union									
Valencia	87	25	132	5,300	362	12,380	115	2	12

Value of lands and houses and of certain kinds of personal property, etc.—Continued.

County.	Blacksmiths' and carpenters' tools, etc.	Other property not described.	Honey bees.		Total assessed value.	Exemptions of all kinds.	Balance subject to tax.
			No. of hives.	Value.			
Bernalillo					$6,993,569.64	$254,400.00	$6,739,169.64
Chaves	$3,210	$2,600.00		$634.00	1,671,008.00	39,231.00	1,631,777.00
Colfax		7,225.00			2,902,670.00	157,400.00	2,745,270.00
Donna Ana	1,150	2,840.00	614	2,100.00	2,755,285.00	119,000.00	2,636,285.00
Eddy	1,408	14,003.00	165	825.00	1,549,775.00	54,000.00	1,495,775.00
Grant	3,363	225,711.00			3,677,835.00	97,600.00	3,580,235.00
Guadaloupe	274	800.00			705,724.00	46,600.00	659,124.00
Lincoln	2,170	28,381.00			1,583,840.00	95,800.00	1,488,040.00
Mora	309	176.00			1,101,474.00	114,150.00	987,324.00
Rio Arriba	4,819	3,768.00			869,334.00	95,575.90	773,759.00
San Juan	897	762.00		2,177.50	656,799.85	141,578.75	515,221.10
San Miguel	1,835	9,567.00		9,270.00	5,232,305.00	218,200.00	5,014,105.00
Santa Fe	2,977	1,433.00		335.00	2,436,457.00	182,000.00	2,254,457.00
Sierra	6,278	9,125.50			1,427,162.81	73,242.42	1,353,920.39
Socorro	1,082	23,238.00			2,730,110.00	176,900.00	2,553,210.00
Taos	1,455				1,157,210.16	82,020.00	1,075,190.16
Union	294	9,322.75			1,550,338.00	44,400.00	1,505,938.00
Valencia	277	340.00			2,127,723.49	46,022.14	2,081,701.35
Total					41,128,620.95	2,038,119.31	39,090,501.74

SUMMARY.

Total assessed value of all kinds of property	$41,128,620.95
Deduct exemptions to heads of families and reductions on values made by boards of county commissioners and Territorial board of equalization	2,038,119.31
Balance of property valuation subject to tax	39,090,501.64

Assessment of property for taxes in the year 1894 in the various counties and the arithmetical product of taxes for the forty-sixth fiscal year.

County.	Total assessed value.	Territorial purposes, forty-sixth fiscal year.	Casual deficit, bond interest.	Territorial institutions, forty-sixth fiscal year.	Cattle indemnity.	Totals.
Bernalillo	$6,739,169.64	$33,683.61	$1,657.63	$9,930.36	$18.90	$51,338.62
Chaves	1,631,777.00	9,758.61	406.82	2,439.68	233.03	12,838.14
Colfax	2,745,270.00	16,471.62	686.32	4,117.91	96.21	21,372.06
Donna Ana	2,636,285.00	15,817.68	1,186.62	3,954.48	85.59	21,947.37
Eddy	1,495,775.00	8,975.14	383.70	2,245.75	73.49	11,678.08
Grant	3,580,235.00	21,481.41	895.05	5,370.35	327.77	28,074.58
Guadaloupe	659,124.00	3,954.74	164.78	988.68	38.70	5,146.90
Lincoln	1,488,040.00	8,928.12	372.09	2,232.30	296.77	11,829.28
Mora	987,324.00	5,923.94	246.83	1,480.99	24.49	7,676.25
Rio Arriba	773,759.00	4,642.55	193.44	1,160.64	13.66	6,010.29
San Juan	515,221.10	3,091.32	128.80	772.83	76.60	4,069.55
San Miguel	5,014,105.00	29,996.35	1,244.99	7,501.02	82.00	38,824.36
Santa Fe	2,254,457.00	13,526.74	563.61	3,381.68	7.70	17,479.73
Sierra	1,353,920.39	8,123.52	338.48	2,030.88	101.48	10,594.36
Socorro	2,553,210.00	15,294.63	653.86	3,835.69	247.77	20,031.95
Taos	1,075,199.16	6,440.76	268.73	1,610.37	85.24	8,405.10
Union	1,505,938.00	9,035.62	376.48	2,258.88	376.48	12,047.46
Valencia	2,081,701.35	12,490.13	520.75	3,122.79	38.81	16,172.48
Total	39,090,501.64	233,683.61	10,288.98	58,435.28	2,227.69	304,636.56

Receipts in the Territorial treasury from sheriffs and other collecting officers, and the distribution of the amounts received in the various funds, during the three quarters of the forty-fifth fiscal year, beginning March 5, 1894, and ending December 1, 1894.

From whom received.	County or judicial district.	Licenses.	Delinquent taxes.	Taxes of 1889-90.	Taxes of 1891.	Taxes of 1892.	Taxes of 1893.	Taxes of 1894.	Other revenues.	Total.
Jacobo Yrisarri, sheriff	Bernalillo	$1,315.71	$16.17			$444.26	$25,263.94			$27,040.08
W. M. Atkinson, sheriff	Chaves	154.68			$60.74	209.73	6,600.13			7,025.28
C. C. Fountain, sheriff	do					23.96				23.96
O. W. McCuiston, sheriff	Colfax	406.59		$284.41		548.52	9,633.81	$618.96		11,492.29
Martin Lohman, sheriff	Donna Ana	435.95			205.27	207.31	12,675.77			13,524.30
David L. Kemp, sheriff	Eddy				72.14	42.19	7,827.97			7,942.30
A. B. Laird, sheriff	Grant	816.28	1.87	9.23	113.36	1,432.06	21,848.62			24,231.42
James A. Lockhart, sheriff	do					545.83				545.83
Carlos Casaus, sheriff	Guadaloupe	57.93					2,077.78			2,135.71
George Curry, sheriff	Lincoln	182.82			34.62	8.94	6,200.03			6,426.41
Vincent Mares, sheriff	Mora	324.00					3,221.20			3,545.20
Francisco C. Chavez, sheriff	Rio Arriba	180.59			11.48	263.33	5,061.99			5,517.39
W. F. Burns, estate, sheriff	do	33.84								33.84
A. E. Dustin, sheriff	San Juan	63.56		377.70	346.09	331.20	1,614.06	149.57		2,882.18
Wm. P. Cunningham, sheriff	Santa Fe	477.58			39.44	929.12	8,283.07			9,729.21
Lorenzo Lopez, sheriff	San Miguel	680.07		40.35	109.07	307.92	20,221.64	170.27		21,529.32
S. W. Sanders, sheriff	Sierra	339.69	2.34	158.68	33.90	368.05	3,372.22			4,274.88
Leopoldo Contreras, sheriff	Socorro	511.71			24.03	24.66	11,638.31	45.56		12,244.27
C. A. Robinson, sheriff	do				148.01					148.01
Cesario Garcia, sheriff	Taos	115.31		70.54		114.68	2,137.59			2,438.12
Solomon Luna, sheriff	Valencia	149.09	17.27			215.28	5,630.02			6,011.66
Pullman Palace Car Co							40.73			40.73
J. H. Crist, districtattorney	First district					282.05				282.05
Demetrio Perez, auditor, insurance licenses									$405.00	405.00
E. L. Bartlett, solicitor-general									1,885.20	1,885.20
R. M. Goshorn, clerk	First district								704.35	704.35
Geo. L. Wyllys, clerk	do								112.10	112.10
O. N. Marron, clerk	Second district								1,107.45	1,107.45
L. W. Lenoir, clerk	Third district								1,155.50	1,155.50
Felix Martinez, clerk	Fourth district								1,634.85	1,634.35
J. W. Garnier, clerk	Fifth district								1,287.35	1,287.35
E. H. Bergmann, superintendent penitentiary									4,422.25	4,422.25
G. L. Brooks, secretary cattle sanitary board									4,483.57	4,483.57
Silas Alexander, repayment									19.00	19.00
Total		6,245.40	47.65	940.91	1,198.15	6,299.09	153,348.88	984.36	17,216.62	186,281.06

Receipts in the Territorial treasury from sheriffs and other collecting officers, etc.—Cont'd.

DISTRIBUTION.

Licenses	$6,301.09
Penitentiary interest fund	552.87
Capitol interest	424.08
Capitol contingent interest	122.56
Current expense interest fund	285.17
Provisional indebtedness interest fund	370.18
Asylum bond interest fund	40.91
Sinking fund redemption of outstanding warrants	1,978.83
Penitentiary current expense fund	6,829.00
Salary fund	6,737.59
Court fund	13.39
Miscellaneous fund	760.08
Compensation of assessors fund	202.39
Transportation of convicts fund	68.75
Territorial institutions, forty-fourth fiscal year:	
University of New Mexico	397.78
Agricultural College	198.93
New Mexico School of Mines	198.93
New Mexico Insane Asylum	198.93
Cattle indemnity fund	5,367.62
World's Fair	84.32
Court fund for counties	1,509.81
School fund	405.00
Territorial purposes, forty-fifth fiscal year	83,078.16
Special deficit, forty-fourth fiscal year	31,241.78
Normal schools (from levy)	5,544.18
Normal institutes	1,145.07
Branch agricultural experiment stations	3,062.63
Casual deficit bond interest	3,503.40
Territorial institutions, forty-fifth fiscal year:	
University of New Mexico	6,947.42
Agricultural College	6,658.64
New Mexico School of Mines	2,779.00
New Mexico Insane Asylum	2,779.00
Normal schools (from institutions)	5,557.98
Territorial purposes, forty-fifth fiscal year	748.39
Territorial institutions, forty-sixth fiscal year	167.13
Total	186,281.06

The following is a statement of the Territorial indebtedness as it appears upon the 25th day of July, 1895, from a report of the Territorial treasurer:

Statement of the debt of the Territory of New Mexico.

Title of bond.	Law for issue.	Amount outstanding.	Date of bond.	Rate of interest.	When interest is payable.	Place of payment, principal and interest.	Time to run and option.	When due.	Provision for payment.
I. Capitol building bonds.	Sec. 2527, C. L.	100,000 100,000	Sept. 1, 1884 Mar. 1, 1885	7 per cent.	March and September.	National Bank of Commerce, New York.	20 years	Sept. 1, 1904 Mar. 1, 1905	Annual tax from Sept. 1 1899, sufficient to raise 20 per cent of issue for 5 years.
II. Capitol contingent-fund bonds.	Chap. 45, Laws of 1887, p. 88.	50,000	Apr. 1, 1887	6 per cent.	January and July.	*First National Bank of New York.	15 years	Apr. 1, 1902	Annual tax after 10 years from date sufficient to create a fund to pay off the bonds at maturity.
III. Current expense bonds.	Chap. 44, Laws of 1887, p. 86.	50,000 50,000 50,000	May 2, 1887 Nov. 1, 1887 May 1, 1888	do	May November May	do	20 years; optional at 5 or 10 years from date.	May 2, 1907 Nov. 1, 1907 May 1, 1908	
IV. Provisional indebtedness bonds.	Chap. 122, Laws of 1889, p. 295.	100,000 100,000	May 1, 1889 Sept. 2, 1889	do	March and September.	National Bank of Commerce, New York.	30 years; optional at 20 years or after.	May 1, 1919 Sept. 2, 1919	Same provision as for capitol contingents.
V. Insane asylum bonds.	Chap. 39, Laws of 1891, p. 87.	25,000	Oct. 1, 1891	do	January and July.	do	do	Oct. 1, 1921	Annual levy after 20 years sufficient to pay bonds in full at maturity.
VI. Casual deficit bonds.	Sec. 7, Chap. 61, Laws of 1893, p. 102.	100,800	May 1, 1893	5 per cent.	do	do	30 years; optional after 10 years.	May 1, 1923	Annual tax after 10 years sufficient to pay the bonds at maturity.
VII. Refunding bonds	Sec. 7, Chap. 61, Laws of 1893, p. 104.	101,000	July 1, 1893	6 per cent.	do	do	30 years; optional after 20 years.	July 1, 1923	Annual tax after 20 years sufficient to pay bonds at maturity.
VIII. Penitentiary refunding bonds.	Sec. 11, Chap. 61, Laws of 1893, p. 105.	81,000	July 1, 1894	do	March and September.	do	30 years; optional at 20 years or after.	July 1, 1924	Same as for refunding bonds.
Total bonded indebtedness		907,800							

* These bonds are on their face payable at the First National Bank of New York, but all coupons are paid by the National Bank of Commerce in New York.

The following statement, as per request of the governor of New Mexico in letter of July 21, 1895, shows the collections and expenditures of the Territorial treasurer from March 3, 1895, to July 25, 1895, with cash balance remaining in hands of the treasurer:

Cash on hand as per last report	$142,536.40
Taxes paid by collectors	257,059.39
Fees paid by the district clerks	7,217.83
Paid by the secretary of the cattle sanitary board	9,384.77
Interest on deposits from depository banks	3,005.07
Paid by superintendent New Mexico penitentiary	9,710.40
Paid by Territorial auditor, insurance licenses	810.00
Paid by the Pullman Palace Car Company	61.08
Paid by S. Alexander (repayment)	19.00
W. E. Dame, ex-speaker house of representatives (repayment)	76.00
George Curry, ex-president of council (repayment)	234.00
	430,113.94
Paid warrants, coupons, etc	314,311.26
Cash on hand	115,802.68

The following is shown by the tax roll to be the arithmetical product of taxes for the above purposes:

Territorial purposes	$233,633.61
Casual deficit, bonds, interest	10,288.98
Territorial institutions	58,436.28
Cattle indemnity	2,227.69
Total	304,636.56

The following are the four quarterly reports from the auditor of public accounts of the Territory of New Mexico in detail, with statement of the receipts and expenditures during the third and fourth quarters of the forty-fifth fiscal year. beginning August 31, 1894, and ending August 31, 1895:

Quarterly report of the auditor of public accounts of the Territory of New Mexico, giving a detailed statement of the receipts and expenditures during the third quarter of the forty-fifth fiscal year, ending December 1, 1894.

RECEIPTS.

Jacobo Yrisarri, sheriff Bernalillo County	$5,396.69
W. M. Atkinson, sheriff Chaves County	1,382.02
O. W. McCuiston, sheriff Colfax County	7,673.51
Martin Lohman, sheriff Donna Ana County	4,788.86
David L. Kemp, sheriff Eddy County	1,149.59
A. B. Laird, sheriff Grant County	5,859.29
Carlos Casaus, sheriff Guadalonpe County	202.63
George Curry, sheriff Lincoln County	1,940.84
Vincente Mares, sheriff Mora County	1,610.74
F. C. Chavez, sheriff Rio Arriba County	2,421.97
W. F. Burns (estate of), Rio Arriba County	33.84
A. E. Dustin, sheriff San Juan County	550.03
W. P. Cunningham, sheriff Santa Fe County	3,193.16
Lorenzo Lopez, sheriff San Miguel County	7,530.44
S. W. Sanders, sheriff Sierra County	532.54
Leopoldo Contreras, sheriff Socorro County	5,182.73
Cesario Garcia, sheriff Taos County	1,556.13
Solomon Luna, sheriff Valencia County	1,066.30
George L. Wyllys, first judicial district clerk	112.10
O. N. Marron, second judicial district clerk	312.50
L. W. Lenoir, third judicial district clerk	125.30
Felix Martinez, fourth judicial district clerk	361.90
J. W. Garner, fifth judicial district clerk	330.35
Edward L. Bartlett, solicitor-general for New Mexico	1,885.20
E. H. Bergmann, superintendent New Mexico penitentiary	4,377.60
G. L. Brooks, secretary cattle sanitary board	1,983.38
S. Alexander (repayment)	19.00
Total	61,578.64

Quarterly report of the auditor of public accounts of the Territory of New Mexico, giving a detailed statement of the receipts and expenditures, etc.—Continued.

ABSTRACT OF RECEIPTS AND EXPENDITURES DURING THE QUARTER.

	Receipts.	Expenditures.
License fund	$1,320.77	$90.00
Penitentiary interest fund	298.69	.....
Capitol interest fund	43.51	.....
Capitol contingent interest fund	8.61	.....
Current expense interest fund	25.91	.....
Provisional indebtedness interest fund	42.46	.....
Asylum bond interest fund	3.13	.....
Sinking fund redemption of outstanding warrants	1,667.17	52.01
Penitentiary current expense fund	6,289.22	13,256.16
Salary fund	1,279.44	9,393.12
Court fund	.68	281.16
Miscellaneous fund	56.57	10,050.08
Compensation of assessors fund	10.26	8,293.58
Transportation of convicts funds	3.47	923.95
Territorial institutions, forty-fourth fiscal year:		
University of New Mexico	32.55	563.31
Agricultural College	16.33	.....
New Mexico School of Mines	16.33	21.97
New Mexico Insane Asylum	16.33	4,000.00
Cattle indemnity	2,157.09	.....
World's Fair	4.33	.....
Court fund for counties	84.60	.....
Territorial purposes, forty-fifth fiscal year	26,474.92	.....
Special deficit, forty-fourth fiscal year	10,021.62	.....
Normal schools (from levy)	1,844.32	6,539.86
Normal institutes	369.43	.....
Branch agricultural experiment stations	739.40	.....
Casual deficit bond interest	1,143.41	.....
Territorial institutions, forty-fifth fiscal year:		
University of New Mexico	2,229.66	4,236.69
Agricultural College	2,376.28	.....
New Mexico School of Mines	891.91	1,013.03
New Mexico Insane Asylum	891.91	.....
Normal school (from institutions)	1,783.81	.....
Territorial purposes, forty-sixth fiscal year	748.39	.....
Territorial institutions, forty-sixth fiscal year	187.13	.....
School fund	.....	27.50
General fund, warrants issued to pay accounts prior to March 4, 1889	.....	191.39
Total	61,578.64	58,934.31

Fourth quarter of the forty-fifth fiscal year, ending March 2, 1895.

RECEIPTS.

Jacobo Yrisarri, sheriff Bernalillo County	$16,886.15
Alejandro Sandoval, collector Bernalillo County	1,317.05
W. M. Atkinson, sheriff Chaves County	6,781.11
C. C. Perry, sheriff Chaves County	483.58
O. W. McCuiston, sheriff Colfax County	13,665.15
Martin Lohman, sheriff Donna Ana County	11,261.31
Jacob Schaublin, collector Donna Ana County	270.65
J. D. Walker, sheriff Eddy County	2,641.33
A. B. Laird, sheriff Grant County	12,165.03
Carlos Casaus, sheriff Guadaloupe County	873.30
Roman Casaus, sheriff Guadaloupe County	277.26
George Curry, sheriff Lincoln County	3,391.40
George Sena, sheriff Lincoln County	343.62
Vicente Mares, sheriff Mora County	4,475.95
F. C. Chaves, sheriff Rio Arriba County	2,477.48
A. E. Dustin, sheriff San Juan County	1,366.83
William P. Cunningham, sheriff Santa Fe County	1,466.97
Solomon Spiegelberg, collector Santa Fe County	522.39
Lorenzo Lopez, sheriff San Miguel County	524.46
Carlos Gabaldon, collector San Miguel County	716.90
S. W. Sanders, sheriff Sierra County	2,658.27
Max Kahler, sheriff Sierra County	363.55
Leopoldo Contreras, sheriff Socorro County	10,756.38
Michael Cooney, collector Socorro County	413.39

Luis F. Garcia, sheriff Union County	$3,389.84
Solomon Luna, collector Valencia County	1,747.32
Demetrio Perez, Territorial auditor	495.00
George L. Willys, clerk first judicial district court	379.20
O. N. Marron, clerk second judicial district court	302.65
L. W. Lenoir, clerk third judicial district court	195.45
Felix Martinez, clerk fourth judicial district court	304.45
J. W. Garnier, clerk fifth judicial district court	550.05
E. H. Bergmann, superintendent New Mexico Penitentiary	1,256.05
G. L. Brooks, secretary cattle sanitary board	2,696.34
Total	107,216.66

ABSTRACT OF RECEIPTS AND EXPENDITURES DURING THE QUARTER.

	Receipts	Expenditures.
Licenses	$2,300.72	$1,071.60
Penitentiary interest fund	680.80	.....
Capitol interest fund	26.58	.....
Capitol contingent interest fund	8.27	.....
Current expense interest fund	16.50	.....
Provisional indebtedness interest fund	22.93	.....
Sinking fund redemption of outstanding warrants	11.45	1.58
Insane asylum bond interest	1.41	.....
Penitentiary current expense fund	1,256.05	6,786.41
Salary fund	1,531.80	9,241.44
Supreme court fund	.....	32.05
Miscellaneous fund	.....	9,284.21
Compensation of assessor's fund	.....	563.60
Transportation of convicts fund	.....	790.10
Territorial institutions, forty-fourth fiscal year viz:		
University of New Mexico	50.34	6,113.55
Agricultural College	153.48	4,940.00
New Mexico School of Mines	25.16	1,980.00
New Mexico Insane Asylum	25.16	7,000.00
Cattle indemnity fund	3,529.33	.....
Court fund for counties	146.93	.....
Territorial purposes, forty-fifth fiscal year	9,267.37	.....
Special deficit, forty-fourth fiscal year	3,446.73	20,399.74
Normal schools	622.02	850.00
Normal institutes	147.01	.....
Branch agricultural experiment stations	257.87	700.00
Casual deficit bond interest	3,109.21	.....
Territorial institutions, forty-fifth fiscal year	2,712.60	.....
Territorial purposes, forty-sixth fiscal year	61,714.19	1,698.55
Territorial institutions, forty-sixth fiscal year	15,657.75	.....
School fund	495.00	937.35
General fund, warrants drawn to pay accounts prior to March 4, 1889	.....	3,121.47
Total	107,216.66	75,521.65

NOTE.—The following appropriations made by the thirty-first legislative assembly were paid from the following funds, and the amounts are included in the column of expenditures above, to wit:

From Territorial purposes, forty-sixth fiscal year:	
Special appropriation for printing bills and reports in Spanish	$1,698.55
From special deficit, forty-fourth fiscal year:	
Pay of employees, thirty-first legislative assembly	6,952.00
Pay of contingent expenses, thirty-first legislative assembly	12,500.00
Special appropriations	447.74
From general fund:	
Appropriation for purchase of laws for thirty-first legislative assembly	160.00
Total	21,758.29

First quarter of the forty-sixth fiscal year, ending June 1, 1895.

RECEIPTS.

Alejandro Sandoval, collector Bernalillo County	$1,338.61
C. C. Perry, sheriff Chaves County	18.41
Hugh Smith, collector Colfax County	5,494.46
J. D. Walker, sheriff Eddy County	345.43
A. B. Laird, collector Grant County	627.65
Roman Casus, sheriff Guadaloupe County	30.51
George Sena, sheriff Lincoln County	414.11
Juan B. Martinez, collector Mora County	64.33
Vicente Mares, ex-sheriff Mora County	31.72
Martin Lopez, collector Rio Arriba County	139.27
A. E. Dustin, ex-sheriff San Juan County	126.28
Solomon Spiegelberg, collector Santa Fe County	293.77
Carlos Gabaldon, collector San Miguel County	594.64
Lorenzo Lopez, ex-sheriff San Miguel County	11,919.20
Max Kahler, sheriff Sierra County	212.44
S. W. Sanders, ex-sheriff Sierra County	758.13
M. Cooney, collector Socorro County	841.99
C. Garcia, sheriff Taos County	1,034.86
V. Overby, sheriff Union County	53.85
Luis F. Garcia, ex-sheriff Union County	422.62
Solomon Luna, collector Valencia County	86.90
Pullman Palace Car Company	61.08
Marcelino Garcia, Territorial auditor (insurance licenses)	292.50
Demetrio Perez, ex-Territorial auditor (insurance licenses)	22.50
George Curry, ex-president of the council (repayment)	234.00
William E. Dame, ex-speaker of the house (repayment)	76.00
E. H. Bergmann, superintendent New Mexico penitentiary	2,191.55
George L. Wyllys, clerk first judicial district	194.15
O. N. Marron, clerk second judicial district	537.48
L. W. Lenoir, clerk third judicial district	260.75
Felix Martinez, clerk fourth judicial district	531.40
J. W. Garnier, clerk fifth judicial district	392.35
G. L. Brooks, secretary cattle sanitary board	2,782.89
Total	32,425.83

ABSTRACT OF RECEIPTS AND EXPENDITURES DURING THE QUARTER.

	Receipts.	Expenditures.
Licenses	$1,852.26	$6,005.60
Interest fund	53.49	.....
Penitentiary current expense fund	2,191.55	10,734.81
Salary fund	1,916.13	8,201.22
Court fund	.....	38.69
Miscellaneous fund	.....	6,593.43
Compensation of assessors fund	.....	523.70
Transportation of convicts	.....	1,323.73
Territorial institutions, viz:		
University of New Mexico	1.36	1.57.500
Agricultural College	4.07	.....
New Mexico School of Mines	.67	600.00
New Mexico Insane Asylum	.07	.....
Territorial purposes, forty-fifth fiscal year	3.48	.....
Special deficit, forty-fourth fiscal year	311.30	187.52
Normal schools	15.33	1,000.00
Normal institutes	5.49	.....
Branch agricultural experiment stations	6.82	.....
Casual deficit, bond interest	747.72	.....
Territorial institutions, forty-fifth fiscal year	65.42	.....
Cattle indemnity	2,899.58	.....
Territorial purposes, forty-sixth fiscal year	17,580.83	.....
Territorial institutions, forty-sixth fiscal year	4,454.66	.....
School fund	315.00	363.65
Deficiency fund, forty-sixth fiscal year	.....	4,136.33
Special court fund (warrants drawn against the Albuquerque suspended banks), viz:		
First judicial district	.....	4,554.42
Second judicial district	.....	58.45
Fifth judicial district	.....	786.10
General fund, warrants drawn to pay accounts prior to the 4th day of March, 1889	.....	97.00
Total	32,425.83	47,379.11

Second quarter of the forty-sixth fiscal year, ending August 31, 1895.

RECEIPTS.

Alejandro Sandoval, collector Bernalillo County	$9,908.26
C. C. Perry, collector Chaves County	1,993.19
Hugh Smith, collector Fairfax County	3,431.18
Jacob Schaublin, collector Donna Ana County	5,296.00
J. D. Walker, collector Eddy County	3,738.86
A. B. Laird, collector Grant County	5,202.33
Roman Casaus, collector Guadaloupe County	391.40
George Sena, collector Lincoln County	3,685.75
Juan B. Martinez, collector Mora County	866.70
Martin Lopez, collector Rio Arriba County	90.00
A. H. Dunning, collector San Juan County	652.58
Solomon Spiegelberg, collector Sante Fe County	7,503.74
Carlos Gabaldon, collector San Miguel County	5,920.41
Max L. Kahler, collector Sierra County	1,500.20
M. Cooney, collector Socorro County	3,523.78
Cesario Garcia, ex-collector Taos County	247.46
Bonifacio Barron, collector Taos County	834.22
V. A. Overbay, collector Union County	1,017.35
Solomon Luna, collector Valencia County	3,033.64
P. L. Chappelle, W. E. Dame, and P. Perea, repayment	1,100.00
E. H. Bergmann, superintendent New Mexico Penitentiary	1,449.45
George L. Wyllys, clerk first judicial district	379.16
O. N. Marron, clerk second judicial district	443.60
W. B. Walton, clerk third judicial district	653.00
Felix Martinez, clerk fourth judicial district	544.00
J. W. Garner, clerk fifth judicial district	248.35
J. A. Le Rue, secretary cattle sanitary board	4,500.00
Total	68,154.61

ABSTRACT OF RECEIPTS AND EXPENDITURES DURING THE QUARTER.

	Receipts.	Expenditures.
Licenses	$4,987.48	$4,180.00
Interest fund	34.60	.....
Penitentiary current expense fund	1,449.45	9,621.64
Salary fund	2,268.11	9,523.85
Supreme court fund	.....	84.60
Miscellaneous	.....	10,986.72
Compensation of assessors	1.67	85.74
Transportation of convicts	.....	947.74
Territorial institutions, viz:		
University of New Mexico	13.65	2,900.00
Agricultural College	38.10	2,900.00
New Mexico School of Mines	6.78	.....
New Mexico Insane Asylum	6.78	.....
Special deficit forty-fourth fiscal year	.....	52.65
Normal schools	151.74	4,660.00
Normal institutes	33.72	.....
Branch agricultural experiment stations	62.58	.....
Casual deficit bond, interest	1,927.39	.....
Territorial institutions, forty-fifth fiscal year	580.67	.....
Cattle indemnity fund	4,919.18	.....
Territorial purposes, forty-sixth fiscal year	41,292.60	.....
Territorial institutions, forty-sixth fiscal year	10,380.11	26.00
Deficiency fund, forty-sixth fiscal year	.....	7,224.94
Special court fund (warrants drawn against the Albuquerque suspended banks), viz:		
First judicial district	.....	404.80
Second judicial district	.....	42.00
Third judicial district	.....	.....
Fourth judicial district	.....	.....
Fifth judicial district	.....	3,221.90
General fund, warrants drawn to pay accounts prior to the 4th day of March, 1889	.....	126.65
Total	68,154.61	56,989.23

COUNTY FINANCES.

I have made stringent efforts to ascertain the amount of indebtedness existing in the various counties of the Territory and the present condition thereof.

I regret to say that I have been unable to get this information from all of the counties.

The following is a statement of the indebtedness of the nine counties from which I have succeeded in receiving reports. This statement in some instances includes the assessment roll for 1894 and 1895 of the respective counties:

Financial statement of Bernalillo County.

	Rate of interest.	Amount.
	Per cent.	
County funding bonds, issued 1884	6	$25,000.00
Court-house and jail bonds, issued 1885-1887	7	92,000.00
County funding bonds, issued 1889	6	46,000.00
Current expense bonds, issued 1889	6	40,000.00
County funding bonds, issued 1891	5 2/10	17,000.00
Current expense bonds, issued 1892	6	7,000.00
County bridge bonds, issued 1892	6	30,000.00
Approved accounts to date	.....	62,582.50
Total	.....	319,582.50
Assessed valuation of Bernalillo County:		
Rolls 1894 real and personal property	.....	6,620,966.00
Rolls 1895, real and personal property	.....	8,897,841.00

Statement of financial condition of Chaves County.

Bonds issued in 1892 to pay for erection of a court-house and jail in Chaves County	$30,000
Bonds issued to satisfy Chaves County pro rata of indebtedness assumed from Lincoln County	13,000
Bonds issued for current expenses of 1893	7,000

Chaves County has no unbonded indebtedness.

Statement of financial condition of Eddy County.

Bonds issued in 1892 to build court-house and jail	$30,000
Bonds issued in 1892 to pay pro rata of indebtedness of the county of Lincoln	10,000
Bonds issued in 1892 to pay current expenses for 1893	7,000
Bonds issued in 1894 for building bridges	3,000

All of the above bonds bear interest at the rate of 6 per cent semi-annually, payable July 1 and January 1 of each year. The assessment of property for the year 1895 was $1,500.

Financial condition of Lincoln County.

BONDS.

6 per cent 5-20 bonds	$2,600
8 per cent 5-20 bonds	6,700
6 per cent 10-30 bonds	24,200
6 per cent 15-30 bonds	7,000
	40,500

No bonds were issued in aid of railroads. The accounts unpaid by the county amounted to $5,000.

Financial condition of Mora County.

Bonded indebtedness *	$70,000.00
Unfunded indebtedness of the county	† 15,000.00
Valuation of real and personal property, 1894	987,324.00
Valuation of real and personal property, 1895	10,263.20

Statement of the financial condition of San Juan County.

BONDED INDEBTEDNESS.

For ordinary county indebtedness	$15,000.00
Indebtedness to Rio Arriba County on division of county	2,600 00
County jail	2,500.00
School purposes by school districts	4,900.00
Total bonded indebtedness at 6 per cent interest	25,000.00
Total unfunded indebtedness to March 1, 1895	533.75
Assessed value of real estate for 1894	470,010.00
Assessed value of personal property, 1894	186,787.00
Total	656,797.00
Assessed value of real estate for 1895	421,750.00
Assessed value of personal property for 1895	150,466.00
Total	572,216.00

Statement in brief showing the financial condition of San Miguel County.

Funded debt of 1882	$4,200
Funded debt of 1884	31,400
Funded debt of 1889	213,300
Court-house and jail bonds, 1884	100,000
Court-house and jail warrants, 1892	15,400
Interest on bonded indebtedness	4,500
Judgments (exclusive of interest)	30,277
Bills approved and unpaid	10,000
Grand total	409,077
Total assessment roll for the year 1894	5,014,105
Total assessment roll for the year 1895	4,752,894

All bonded indebtedness bears interest at the rate of 6 per cent per annum.

Financial statement for Socorro County.

SOCORRO, N. MEX., *July 25, 1895.*

Hon. W. T. THORNTON,
Governor of New Mexico, Santa Fe, N. Mex.

DEAR SIR: Your favor of the 23d received, asking for a statement of the financial condition of Socorro County. The total bonded indebtedness of the county is $158,200, all of which was created by the payment of ordinary county indebtedness, including bridges and public buildings. All county bonds draw 6 per cent interest. We have no unfunded indebtedness, and will be able to pay cash for current expenses for the next two years at least.

The assessment for property for 1894 was as follows:

Personal property	$1,802,542.50
Real estate	952,614.00
Total assessment of real and personal	2,755,156.50

* It was created, at 6 per cent interest, for building the court-house and jail. None was issued in the aid of railroads.

† *About.*

I think that the above is all that you wish. If not, I will cheerfully furnish any information you may care for.

Very truly, C. F. BROWN,
Chairman Board County Commissioners.

Statement of financial condition of Valencia County.

Funded bonds 1882, at 8 per cent	$17,400
Funded bonds 1885, at 6 per cent	3,800
Funded bonds 1889, at 6 per cent	49,100
Funded bonds 1891, at 6 per cent	7,000
Unfunded indebtedness, more or less	15,000
Total	92,300

All of the above issues were made to pay county indebtedness. This county has no railroad bonds.

INTERNAL REVENUE.

From the collector of internal revenue of this Territory I find that the revenue collected during the past year was as follows:

Special-tax stamps:	
Wholesale liquor dealers	$991.67
Wholesale dealers in malt liquors	969.68
Retail liquor dealers	10,747.69
Retail dealers in malt liquors	252.51
Retail dealers in oleomargarine	356.00
Brewers of more than 500 barrels	300.00
Brewers of less than 500 barrels	154.17
Rectifiers	100.00
Other stamps:	
Playing-card stamps	1,180.30
Beer stamps	4,480.60
Cigar and cigarette stamps	751.65
Tobacco stamps	67.80
Tax-paid and spirit stamps	943.99
Penalties and miscellaneous collections	371.20
Total	21,667.26

RAILROADS.

There has been no railroad building in New Mexico during the past year, but the indications are that in the near future there will be considerable revival of the railroad building in the Territory.

Authoritative information leads me to believe that the Pecos Valley Railroad, built last year to Roswell in the county of Chaves, will be extended soon to connect in a northeastern direction with the Atchison, Topeka and Santa Fe Railroad at some point in Texas or the Indian Territory and west to the coal fields near Fort Stanton, and will probably be extended to a connection with the Atchison, Topeka and Santa Fe at Las Vegas in the vicinity of Santa Fe or Albuquerque.

There is also a good prospect for the construction of a road from El Paso, via Tulerosa and Lincoln, to Roswell, and northeasterly to a connection with the Rock Island at some point in Kansas.

Another proposed road has attracted some attention, and a company has been organized to construct it from Santa Fe westerly across the Rio Grande into the Cochiti mining camp west of the Rio Grande. This road will run to the famous Jemez Hot Springs and the Sulphur Vapor Springs.

STOCK RAISING.

As heretofore stated in this report, the advance in the price of cattle and sheep and the most excellent season that we have had have given quite an impetus to the stock-growing interests of the Territory, and the ranchmen are in better heart than they have been for several years.

New Mexico is very largely interested in both cattle and sheep, standing fifth among the States in the number of her sheep and seventh in the value of her wools. Both industries are in a prosperous condition, and the coming year will show a large increase in the herds.

I have tried to ascertain the number and the value of the shipments of this class of animals from the Territory during the past year, and also the quantity of wool marketed, and herewith submit a report from the various railroads showing the number of sheep and the pounds of wool shipped, with an estimate of the number driven overland.

SHIPPED BY THE ATCHISON, TOPEKA, AND SANTA FÉ RAILROAD.

Statement showing the number of head of live stock, the weight of wool into and out of New Mexico during the year ending June 30, 1895.

Months.	Live stock.								Wool, out of New Mexico.
	Out of New Mexico.				Into New Mexico.				
	Horses.	Cattle.	Hogs.	Sheep.	Horses.	Cattle.	Hogs.	Sheep.	
1894.									*Pounds.*
July	.....	6,600	.....	260	.....	90	.....	.....	2,496,150
August	90	1,350	.....	2,860	90	30	.....	12,220	2,014,072
September	.....	4,650	.....	10,920	30	30	.....	4,680	230,255
October	40	12,690	.....	4,420	60	30	.....	520	904,575
November	60	15,225	120	1,560	60	1,440	.....	.....	727,115
December	.....	510	.....	97,760	30	330	.....	.....	455,930
1895.									
January	2	4,650	.....	11,440	.....	420	.....	.....	768,975
February	30	1,695	116	18,200	30	270	120	.....	97,670
March	30	3,900	.....	7,020	1	.....	.....	.....	156,338
April	60	19,050	.....	.....	.....	.....	.....	.....	458,138
May	2	48,690	.....	.....	30	660	.....	7,540	1,191,770
June	30	18,450	.....	5,200	90	2,760	.....	64,480	2,138,382
Total	344	137,460	236	159,640	422	6,060	120	89,440	11,239,370

STATEMENT OF THE DENVER AND GULF RAILROAD.

Your letter of August 19 to Mr. Trumbull, receiver of our company, was referred to me, and I give you the following statistics for the year ending June 30, 1895, as requested:

Cattle shipped out of New Mexico	head..	14,846
Sheep	do...	78,980
Wool	pounds..	1,818,051

Yours, truly,

A. D. PARKER, *Auditor.*

STATEMENT OF THE DENVER AND RIO GRANDE RAILROAD.

Your letter of July 26 has been referred to me, and in response to same I will state that during the fiscal year ending June 30, 1895, this company shipped from stations on its lines in New Mexico 249 cars of live stock consisting principally of sheep, and 1,646,725 pounds of wool.

Trusting that this information is what you want and that you will not hesitate to call upon me regarding any other matter wherein I may be able to serve you, I am,

Yours, very truly,

C. H. SCHLAEKS,
Assistant General Manager.

In addition to this, large numbers have been driven from the Territory, the shipment being about 15,000 head of cattle and 50,000 head of sheep.

From the secretary of the cattle sanitary board I have received the following report, with reference to the outlook of the cattle interest in the Territory, which I submit in full:

There is now a brisk and growing demand for steers, at an advance in price of from $3 to $4 per head above the prices realized by producers for a long time past. The advance in the value of stock cattle is still greater, and a further one is clearly in sight.

The expectations of fabulous returns by inexperienced investors, in the business during the boom in the early eighties, not having been realized, liquidation set in and the marketing of cows for slaughter has been carried to such an extent that the power of production has been reduced to almost, if not quite, one-half; not only have the ranges been depleted in this process of liquidation, but the depression caused by the low price of agricultural products, droughts, and other discouragements in the great grain-producing States of the West, compelled farmers to realize on so many of their cattle, for money with which to meet their current expenses, that the shortage of young stock throughout the farming region from that cause is being severely felt, and for these reasons it is evident that some years must elapse before the supply of beef can be made to exceed, or even overtake, the demand for consumption; therefore present and even higher prices for the products of the range must be sustained.

In the history of New Mexico the range was never in better condition than it is to-day, and the increase of the year will be well grown, and it is a noteworthy fact that the grade of range cattle is being greatly improved by the introduction of thoroughbred bulls.

The lack of moisture for some years past, making short grass and scarcity of water, very materially reduced the increase below the number cattlemen have a legitimate right to expect, but the conditions are now such that there are abundant reasons to believe that their expectations for a phenomenal calf crop in 1896 are well founded.

Plenteous and timely rains through the season have so stimulated vegetation that an abundance of feed is assured for the next twelve months. The whole Territory is carpeted with the most luxuriant growth of the nutritious grama grass that has been known for years, on which cattle have so fattened that they are now in prime condition to be handled by feeders to be finished for market by utilizing the bountiful corn crop now safe and sure.

There is no infectious or cotagious disease among range cattle in New Mexico. Texas fever does not originate here, and our quarantine regulations, which are being rigidly enforced, have kept it out.

During the year ending June 30, 1895, there have been sent to market from the Territory, in round numbers, 150,000 head, mostly steer cattle, and about 15,000 have been slaughtered by butchers for home consumption.

Owing to the demand for feeders, the fall shipments are expected to be large.

Alfalfa feeding has for some years past, at La Cueva, Watrous, and Cherry Valley, been made a feature in preparing cattle for market through the winter with satisfactory results, and preparations are now being made to do so on a large scale by utilizing the bountiful yield of alfalfa, produced as the result of the grand system of irrigation lately completed in the Pecos Valley, in connection with cotton-seed meal from Texas, which may now be laid down there by rail, the successful issue of which will bring great prosperity to that region.

All of which is respectfully submitted.

JAMES A. LA RUE,
Secretary Cattle Sanitary Board.

INDIANS.

The various tribes of Indians in this Territory have, together with the other citizens, reaped the benefit of the bounteous harvest of the present season, and as a result thereof they are well provided with all that is necessary for their support and maintenance during the year.

I can repeat the statement made in my former report that the discipline of the Pueblo Indians is exceedingly good; the depredations committed by the Indians have greatly decreased, and there are few complaints of raiding Indians during the present year.

The most serious complaint in this connection comes from the county of Socorro, only a few weeks ago, where it is claimed that the Navajo Indians to the number of 250 have been off of their reservation in the vicinity of San Mateo for some time, and that they recently murdered a miner near the latter place.

The information received upon this subject has been by me forwarded to the Commissioner of Indian Affairs at Washington, D. C., urging him to act at once in the matter, and to try and have these Indians kept upon their reservation.

I submit herewith the report of Capt. John L. Bullis, acting Indian agent for the Pueblos and Jicarilla Apaches, which contains more accurately the condition of these Indians than I am able to obtain from any other source:

PUEBLO AND JICARILLA AGENCY,
Santa Fe, N. Mex., August 20, 1895.

SIR: I have the honor to submit the following report of the affairs of the Pueblo and Jicarilla Agency for the fiscal year ended June 30, 1895:

PUEBLOS.

Population.—As it is impossible, without an adequate appropriation for the purpose, to take the census of nineteen pueblos, scattered over a wide extent of country, stretching from the northern part of the Territory to the southwest, and no appropriation having been made, I can only give the same figures quoted in my last annual report, with the remark that in some of the pueblos I estimate a slight increase in the numbers. Total population, 8,536; males over 18 years of age, 2,701; females over 14 years of age, 2,657; children between 6 and 16, 2,323.

Schools.—I am pleased to report an increase in the number of children attending school. Year by year parents are learning to appreciate the value of education for their offspring. The number of Indian schools in connection with this agency is 12, 1 less than last year, the Ramona Boarding School at Santa Fe having been discontinued. Four of these are Government schools, namely: 1 at Santa Clara, 1 at Laguna, 1 at Cochiti, and 1 at Zia Pueblo. The other 8 are contract schools, 1 being the boarding school at Bernalillo, conducted by the Sisters of Loretto, and the others day schools under the supervision of the Roman Catholic Archbishop of Santa Fe. The latter are situated at the following pueblos: Taos, San Juan, Santo Domingo, Jemez, Isleta, Pahuate (Laguna), and Acoma. The total number of pupils in attendance at these schools during the past fiscal year ended June 30, 1895, was 587, a gratifying increase over the previous year.

In addition to the above there are 2 day schools conducted by the Home Mission Board of the Presbyterian Church, 1 at Sciama (Laguna), and the other at Zuñi Pueblo, but as they do not report to this agency I am unable to give statistics.

It has been decided to establish a Government day-school at the pueblo of San Felipe. Land has been set aside by the Indians for the purpose of school buildings, and it is hoped that this fall will see a school in active operation there.

Habits.—I have observed a tendency to improvement in this respect; every year more of the Indians are adopting citizen's dress and in other ways conforming to the usages of their more civilized neighbors.

Issues.—There has been the usual issue of farming implements, fence wire, and useful tools to the deserving ones during the year, for which the Indians are grateful. I believe that they are careful of and make good use of any property so issued to them.

One youth who had learned the shoemaking trade at one of our industrial schools was furnished with an outfit of shoemaker's tools, by means of which he will be enabled to earn a living.

These Indians support themselves by cultivating the grants of land attached to each pueblo, raising crops of corn, wheat, oats, and vegetables, occasionally having a surplus to dispose of in addition to the quantity needed for their own consumption. At some of the pueblos fruits are raised successfully, and this might be the case at nearly all of them if the Indians were not too poor to purchase the young trees. I have had several applications for fruit trees to plant at their homes, and I am convinced that this would be a judicious way in which to assist these people.

I would respectfully recommend, therefore, that 750 or 1,000 young trees be furnished—say, apples, pears, plums, peaches and apricots—for issue to these Indians at the proper season.

Health.—During the past year two of the pueblos have been visited with a fatal epidemic. It commenced at Cochiti in July, 1894, and was pronounced by the agency

physician to be spinal meningitis, or spotted fever; the number of deaths there was 42. The disease made its appearance at Santo Domingo, a neighboring pueblo, last spring, and a considerable number have died there. When I learned of the disease having extended to that pueblo I immediately communicated with the governor, offering the services of the agency physician and a supply of medicines, but could elicit no response, although I wrote several letters on the subject.

Sister Katharine (Miss Drexel) hearing of the state of affairs, being in this vicinity at the time, went to the pueblo personally, taking two nurses of her order and medicines supplied from this office. The governor of the pueblo and his headmen would not allow her to enter any of the dwellings where there were sick, would not accept any of the remedies offered, nor give any information as to the number suffering from the disease.

During the past year, as in former years, my time has been occupied with the settlement of disputes, not so much among themselves, though there are many cases of that kind, but between the Indians and their Mexican and American neighbors. Their water rights are often invaded, squatters get on their land, their timber is cut, and their stock stolen. In attending to these matters the agent has often his hands full, but only in this way are the lands and property of these Indians preserved to them and the machinations of designing men defeated.

The "statistics accompanying annual report, 1895," relating to the Pueblo Indians, are respectfully inclosed herewith.

JICARILLA APACHES.

The census taken at the end of fiscal year June 30, 1895, shows the total number of this tribe to be 845, indicating an increase of 3 since the census of last year, there having occurred 33 births and 30 deaths among these people during the past twelve months. Number of males above 18 years of age, 202; number of females above 14 years of age, 258; number of school children between the ages of 6 and 16, 240.

The health of the tribe during the year has been fairly good, no contagious disease having appeared among them. I am glad to report that when ill almost all the Indians have recourse to the agency physician.

Education.—Twenty-two children from this agency have been attending the industrial boarding school at Fort Lewis, Colo., during the past year. They are still there and making satisfactory progress. In accordance with the recommendation made in my last annual report that a boarding school should be established here, arrangements are nearly completed, under instructions from the Indian Office, for the purchase of the property of Gabriel Lucero, containing 160 acres of land, situated near the agency, and which is well adapted for the purpose. I anticipate that in a short time the purchase will be consummated and the school in operation.

Farming.—Although, as stated in a previous report, this is not a good farming country, seasons being short and amount of rainfall not generally sufficient to insure good crops in all years, yet from indications at the present time, abundance of rain having fallen, large crops of grain, etc., and excellent grazing are assured. A majority of the Indians have planted more extensively than usual, and are consequently much elated over their prospects of an extra-liberal harvest.

Buildings.—During the past year about forty dwelling houses have been built by Indians, some constructed of logs, some of lumber, many of them quite large and comfortable.

They still continue to fence and improve their lands as they are able.

An addition to the agency buildings has been made by the erection of a physician's office and dispensary, which was much wanted. All the agency buildings have been painted and are in good repair. A number of new bridges spanning streams on the reservation were washed away last fall; these have all been restored.

Stock.—Although the past winter was one of great severity very little loss of stock occurred—I do not think it amounted to 10 per cent—and this principally among those who had not provided forage for the winter months. Horses, of which they possess a large number, some of them of good quality, are at present in fine condition. The increase has been particularly great this spring. There are 2,400 sheep and 250 goats on the reservation owned by Indians; these also are in splendid condition, owing to the abundance of fine grass this season.

Trespassers.—As in the past, trespassers continue to give constant annoyance. They look upon the reservation with very covetous eyes, and the agency employees are scarcely able to keep them off, in fact the latter have been compelled to resort to harsh means on several occasions. A number of the cattle and sheep owners in this vicinity would like very much to have the Indians removed from the reservation and settled elsewhere. They take every opportunity of urging this measure and of seeking to bring it about.

Behavior.—The conduct of the Indians during the year under review has been, with a few exceptions, very satisfactory. There is still a dissatisfied element—the

same band who two years ago were brought back from the counties of Colfax, Mora, and Taos, in this Territory. These are a worthless set who would not be contented anywhere or under any circumstances, and are constant disturbers of the good order and peace of the community. It would conduce to the harmony of the tribe generally if the leaders Santiago Largo and Juan Peseta could be removed entirely from the reservation.

Timber.—Last fall, under instructions from the Indian Office, I advertised for bids for a portion of the timber existing on the reservation, the sale having been authorized by act of Congress, the proceeds of which were to be invested for the benefit of the Indians. On inquiry it was found that the most valuable and the most easily accessible timber was on the lands already allotted to the Indians, and the balance was too distant from the railroad to be available within the time allowed. There were consequently no bids received. The following which bears on this subject is an extract copy from the report of United States Indian Inspector C. C. Duncan, made to the honorable Secretary of the Interior, July, 1895:

"This reservation is 12 miles wide by 32 long and the Denver and Rio Grande Railroad passes through the extreme northern part, and most of the land is well timbered with pine, the proximity of which to the railroad renders it very valuable and it can be readily sold for a good price.

"The average elevation of the reservation is about 7,000 feet, so high that no crops except wheat, oats, and potatoes can be raised, and these only on favored spots, so, as can be seen, this can never be an agricultural reservation, but grasses grow fine, and sheep, goats, horses, and cattle do well, especially sheep.

"I think it would be advisable that the timber be sold and the proceeds arising therefrom be invested in sheep, goats, and cattle for the Indians. I understand that the lands have been allotted and the allotments accepted by the Indians, though not yet confirmed by the Department.

"Agent Bullis was authorized by an act of Congress to make sale of the timber on the unallotted lands, but upon investigation he found that the lands of value for timber had been allotted and the balance was so scattered that he could find no bidder, and no sale was made. As the timber on the allotted lands is fully mature and liable to be destroyed by fire, it seems to me it would be wise to allow these Indians, with the advice and consent of Captain Bullis, or, as would be still better, allow Captain Bullis to sell for these Indians such portions of the timber as could be disposed of without permanent injury to the lands and invest the proceeds in stock, turning over to each Indian the stock bought from proceeds of sale from their several allotments.

"This can only be done by private sale, and Captain Bullis's modesty may restrain him from asking an order to that effect; for this reason I think he should be directed to make the sale and investment according to his best judgment. With sheep for their timber, these Indians will soon be self-supporting. I am informed that the removal of the timber will improve the pasturage, and as it can never be of any possible benefit to the indians, I think, for the reasons heretofore given, the order for the sale should be granted at once."

In conclusion, I have pleasure in stating that these Indians are improving gradually from year to year, and at the present time are in a more prosperous condition than they have ever been.

The census report of the Jicarilla Apaches and statistics accompanying the annual report for 1895 are inclosed herewith.

Respectfully submitted.

JOHN L. BULLIS,
Captain, Twenty-fourth Infantry, Acting Indian Agent.

The COMMISSIONER OF INDIAN AFFAIRS,
Washington, D. C.

MESCALERO INDIAN AGENCY.

The following is a report from Lieut. V. E. Stottler, U. S. A., agent in charge of the agency at Mescalero, N. Mex.:

Population, 453; males, 190; females, 263. Births, 15; deaths, 18. Those wearing citizen's clothes, 117. Those who can not read, 17. Those speaking English, 98. Number of children of school age, 104; increase of 21; number in school, 94. Number living in houses, 15.

Two Indians were killed in drunken rows; murderers in jail at Las Cruces, N. Mex., awaiting trial.

There are 367 acres cultivated in corn, oats, potatoes, pumpkins, etc. Number of acres of ground broken, 46. Rods of fencing made, 1,182. Number of acres under fence, 1,102.

There were raised 800 bushels of oats, 700 bushels of corn, 60 bushels of turnips, 20 bushels of onions, 30 bushels of beans, 40 bushels of other vegetables, 1,050 pumpkins, 70 tons of hay, and 2,300 cabbages.

Cut 160 cords of wood. Sold $1,553 worth of supplies.

Stock.—Ponies, 987; mules, 10; burros, 140; cattle, 50; sheep, 33, and fowls, 91.

All the springs have been opened up during the year upon the reservation, and three new irrigating ditches have been built. A number of farms have been taken up, fenced, and planted. Several thousand posts are in the ground awaiting the supply of fence wire.

There has been good disposition on the part of the Indians shown as to farming; many report house logs cut and their intention to build at once.

The reservation contains coal, lime, gold, silver, copper, and abundant timber.

The United States has made appropriation for breaking up land for these Indians the coming year, and also for developing water supply and the purchase of winter wheat seed for experimenting.

SETTLEMENT OF PUBLIC LANDS.

There has been no material change in regard to the settlement upon the public lands during the present year. The immigration was larger than during the year 1894, and consisted mostly of small farmers seeking homes; the localities in which such settlements have been made will be referred to hereafter in this report.

An inspection of the business done in the various land offices, giving the number of homestead, preemption, and cash entry sales will add largely to the accuracy of the information with reference to the increased population; but even that will not show the full amount of such increase, as the larger portion of settlers, as above stated, are small farmers, many of whom have purchased land under the irrigation ditches in the various counties and obtained their titles, not from the government, but from private sources.

THE NAVAJO INDIANS.

I regret to say that I have been unable to obtain any report from the agent in charge of the Navajo Indians, but I believe them to be in a most excellent condition, and with the exception of the instance above stated they have committed no depredations of any importance upon any of the surrounding settlements. Great complaint is made at their continuous trespassing upon the stock ranges south of the reservation, and killing game in violation of the Territorial laws. Our citizens think that the Indians should be held amenable to a violation of the game laws just as they are.

PUBLIC SCHOOLS.

The interest in our public schools continues to increase, and they are very rapidly improving in their character and grade.

Since my last report the number of teachers employed has somewhat increased and more competent persons have been secured, and the methods of instruction have very much improved. Especially has this been the case in the various towns and cities of the Territory, where ample funds have been raised by means of licenses levied upon all saloons and gambling houses, the revenue derived from this source going two-thirds to the town or city in which the saloon or gambling house is situated and one-third into the general school fund.

The following table gives the number of teachers employed and salaries paid, with expenditures during the past school year:

Counties.	No. of district.	No. of precinct.	Teachers.			Enrollment.			Average daily attendance.			Number of scholars between the ages of 5 and 21 years.			No. of schools.
			Males.	Females.	Total.	Males.	Females.	Total.	Males.	Females.	Total.	Males.	Females.	Total.	
Bernalillo	52	....	28	32	60	1,482	1 184	2,666	859	879	1,738	3,315	2,848	6,163	52
Chaves	7	....	4	6	10	.....	.....	831	.....	.....	.....	.....	.....	.....	...
Colfax	30	....	21	22	43	859	820	679	564	531	1,095	1,358	1,516	2,874	31
Donna Ana	29	....	8	17	25	.....	.....	1,031	.....	.....	618	.....	.....	.....	18
Eddy	12	....	6	11	17	329	360	689	200	228	428	426	514	940	12
Grant	25	....	13	27	40	612	499	1,111	401	315	717	1,579	1,239	2,818	24
Guadaloupe	18	15	13	4	17	372	267	639	284	180	465	699	637	1,336	17
Lincoln	43	....	21	10	31	429	383	812	257	254	511	1,032	883	1,915	34
Mora	30	....	22	21	43	862	803	1,665	577	421	998	.....	.....	.....	...
Rio Arriba	42	....	35	4	39	755	328	1,083	670	268	932	755	328	1,083	36
San Juan	....	....	....	....	16	.....	.....	.....	.....	.....	625	.....	.....	.....	16
San Miguel	....	....	....	....	....	.....	.....	.....	.....	.....	.....	.....	.....	.....	...
Santa Fe	26	....	23	3	26	601	331	932	421	208	629	1,808	1,470	3,278	26
Sierra	....	....	6	8	14	555	453	1,008	.....	.....	.....	.....	.....	.....	22
Taos	....	....	....	....	....	.....	.....	.....	.....	.....	.....	.....	.....	.....	...
Union	....	....	....	....	10	.....	.....	938	.....	.....	.....	.....	.....	.....	9
Valencia	37	....	11	1	12	333	90	423	134	35	179	.....	.....	2,915	13

Counties.	Receipts.				Expenditures.				
	Balance December 1, 1894.	From county school fund.	Poll tax, fines, etc.	Total.	Teachers' wages.	Rent, fuel, etc.	School-houses and grounds.	On hand.	Total.
Bernalillo	$6,613.40	$9,689.16	$9,593.03	$28,438.70	$9,742.04	$1,417.26	$938.06	$8,535.71	$28,438.70
Chaves	.....	.....	.....	8.101.38	.....	.....	.....	1,904.79	6,196.51
Colfax	.....	.....	.....	22,540.06	11,886.00	936.00	3,281.60	4.499.72	16,201.51
Donna Ana	3,256.00	2,842.00	3,794.00	9,892.00	6,453.00	623.00	618.00	2,198.00	9.892.00
Eddy	1,673.82	3,657.30	558.96	5,890.08	7.284.77	1,478.21	1,389.83	658.17	10,810.98
Grant	4,201.00	12,985.20	1,046.14	18,232.84	8,708.71	2,926.95	702.26	2,643 09	14,981.01
Guadaloupe	1,163.89	608.95	100.00	1.872.84	1,150.00	163.78	6.00	559.06	1,872.84
Lincoln	1,536.94	2,417.28	1,142.34	5,123.56	2,964.18	162.65	.....	1,837.22	5.123.56
Mora	.....	.....	.....	.....	.....	.....	.....	.....	9,420.00
Rio Arriba	.....	.....	.....	.....	4,524.00	1,615.25	.....	.....	.....
San Juan	.....	.....	.....	.....	.....	.....	.....	.....	1,800.00
San Miguel	.....	.....	.....	.....	.....	.....	.....	.....	.....
Santa Fe	5,607.66	6,149.21	57.75	11,808.62	2,113.79	513.61	.....	1,765.31	4,392.71
Sierra	.....	.....	.....	.....	.....	.....	.....	.....	.....
Taos	.....	.....	.....	.....	.....	.....	.....	.....	.....
Union	.....	.....	.....	2.922.00	.....	.....	.....	.....	2.742.00
Valencia	2,431.98	730.16	786.98	3,949.12	1,402.58	218.52	.....	2,328.02	3,949.12

EDUCATIONAL.

The Territorial educational institutions have been under the control of very competent regents, and their progress during the past year, with the exception of the School of Mines at Socorro, has been very satisfactory.

The grade has been raised in the majority of these schools, and the attendance has been fair. They have all opened the present season with an additional number of students, which will be largely increased later on.

THE UNIVERSITY.

The University of New Mexico, located at Albuquerque, is the natural and logical head of education in the Territory. It is equipped and supported wholly by Territorial appropriations, and receives ample support. It is expected that when New Mexico secures statehood the

university will receive a liberal grant of public lands, as similar institutions in other new States have done, when its usefulness will be very much increased.

The board of regents found it advisable, owing to the sparse population from which to draw, to receive students many of whom properly belong in the high schools. But this is simply repeating the history and experience of other colleges of the same nature. There is attached to the university a preparatory school, of two years' course, where the scholars are prepared to enter the university proper.

THE SCHOOL OF MINES.

The New Mexico School of Mines is situated at Socorro, and is a Territorial institution founded by the legislature in 1889. This act provides that the School of Mines shall be supported by an annual tax of one-fifth of a mill on all taxable property within the Territory. It was organized solely as a high-grade school of technology. All the branches of learning that underlie the professions of chemistry, metallurgy, geology, mining, and engineering are taught.

Owing to the financial condition of the Territory it was deemed best that this institution should be closed during the past year. It was opened, however, the 1st of September, with a fair attendance, under the management of Professor Seaman, late of the School of Mines of Missouri.

THE NORMAL SCHOOLS.

New Mexico is provided with two normal schools, one at Silver City and the other at Las Vegas. The former has now been in operation for two years, and opened the present season with a class of about one hundred students. It is in a most excellent condition, the management being very satisfactory. The last legislature appropriated $10,000 for the purpose of enlarging the buildings, which we hope to have completed this year.

The normal school at Las Vegas has not yet opened, and the building therefor will not be completed in time for school the present year.

THE AGRICULTURAL COLLEGE.

This institution, situated at Las Cruces, is the best endowed of all the educational institutions within the Territory, receiving as it does from the Territory the same appropriation that is given to the university and at the same time receiving from the Federal Government appropriations made under what are generally known as the Hatch and Morril funds. The past year has been the most successful in the history of the institution, both as to the number of scholars in attendance and the advancement made by them. In addition to the ordinary course of stuy of the college there has been added telegraphy and printing.

Provision was made by the last Territorial legislature for the enlargement of the buildings to meet the increased demands of the college.

THE MILITARY INSTITUTE.

The last legislature created the New Mexico Military Institute. to be located at Roswell, in the Pecos Valley, and made an appropriation for the construction of the buildings and the support thereof.

This institution will probably not be ready to open before next year.

INSTITUTION FOR THE DEAF, DUMB, AND BLIND.

This institution is located at Santa Fe, and, I regret to say, nas not received the support of the Territory which its importance demands, the appropriations made being entirely inadequate. It is under the management of a most excellent superintendent, Mr. Lars M. Larson, a gentleman of ability and learning, who is doing all that can be done with the means appropriated to aid the afflicted under his charge. We hope that the next legislature will give this institution such assistance as will put it on the footing it properly deserves.

The following is a report in full of the condition of the school for the past year:

His Excellency W. T. THORNTON,
Santa Fe, N. Mex.:

DEAR SIR: I have the honor to present to you a brief report of this institution for the school year of 1894 and 1895.

During the year there have been ten deaf pupils and nine blind pupils in attendance. We have had three teachers; one to teach with signs as means of imparting English to deaf pupils, and one to teach articulation to them; the third to teach the blind, was employed in this institution this year. These teachers have done good work and served for the full term of ten months.

I greatly regret to say that the last legislature made large reduction in our aid, so that this institution will have to economize in some way. The number of pupils will probably be reduced to about half for the coming term. The school will begin on October 1 and continue about thirty-five weeks instead of forty, as heretofore. The teachers' salaries have been greatly reduced.

The committee has been doing the best it could for the interests of this institute, but can not do much more to help it along, owing to the smallness of our present appropriations.

I am in hopes that the next legislature will do something better for this school.

Yours, very respectfully,

LARS M. LARSON, *Superintendent.*

INDIAN SCHOOLS.

The Indian industrial schools at Santa Fe and Albuquerque, supplemented by the several governmental schools at the various pueblos, are all doing good work for the education of the Indiau children. Nearly every Indian child in New Mexico is provided with the means of education, and the schools are very largely attended..

For many years it was difficult to obtain the consent of the parents for the education of their children at these public institutions, as they had much hesitancy in permitting their children to leave home and go under the control of the teachers. This is now changed, and the parents are taking great interest in the schools, in many instances showing an anxiety to have their children educated.

From present appearances, the majority of the Indian children of the Territory will be as well educated in a few years as the other youths of the Territory.

The work being done in these institutions is such as to greatly improve the condition of these wards of the Republic, and will soon place them in a position to be self-supporting.

PRIVATE EDUCATIONAL INSTITUTIONS.

In addition to the public schools of the Territory we have a large number of private schools, supported mostly by the charitable efforts of the various churches, and I submit the following:

Schools under the management of the Presbyterian Home Mission.

MEXICAN SCHOOLS.

	Day pupils.	Average.	Boarding pupils.
Arroyo Seco	27	22	.....
Upper Arroyo Seco	37	31	.....
Buena Vista	68	50	.....
Canyon Bonito	.....	.....	.....
Ocate	80	35	.....
Chaperito	34	23	.....
Corrales	51	39	.....
El Rito	46	25	.....
Embudo	60	40	.....
Jemes Hot Springs	36	20	.....
La Costilla	58	40	.....
Las Cruces	92	81	.....
Las Vegas	35	79	58
Los Lentes	40	23	.....
Mora	42	22	.....
Pajarito	60	30	.....
Penasco	87	39	.....
Placitas	24	15	.....
Raton	122	75	3
Rociada	36	25	.....
Santa Fe	30	65	65
Taos	50	35	.....
Taos El Prado	91	28	.....
Taos El Ranchel	135	55	.....

INDIAN SCHOOLS IN NEW MEXICO.

Jemes	76	27	.....
Laguna	35	17	.....
Zuñi	48	43	.....

Among the Territorial institutions located at Santa Fe two of the most flourishing are under the control of the Sisters of Charity. These are the St. Vincent Hospital and the St. Vincent Territorial Orphans' Home and Industrial School. For the former institution the annual appropriation is $6,000, while the latter is provided for by an annual legislative allowance of $5,000. The number of patients received at the hospital during the fiscal year ending March 4, 1895, was 131, which added to the number in the hospital at the beginning of that year makes a total of 158 patients accommodated. Of this number 96 were discharged and 22 died, leaving in the hospital on March 4, 1895, 40 patients. The total number of days in attendance by the five Sisters in charge was 11,662 and there were 1,765 prescriptions filled. The variety of diseases reached a total of 158, and the total outlay for the year was $7,119.67. The excess thus created above the appropriation of $6,000 was met partly by amounts received from patients who were able to pay, partly by the proceeds from St. Vincent Sanitarium, a pay institution conducted by eight Sisters of the order of St. Vincent and under the same management as the two Territorial institutions above mentioned, and the remainder from donations made in recognition of the great work being done by the zealous Sisters.

The Orphans' Home and Industrial School is for girls only, and the number of inmates on August 1, 1895, was 67. The expenses of this institution for the year ending March 4, 1895, aggregated $5,872, of

which amount, as above stated, the Territory furnished $5,000. This institution is in charge of six sisters of the St. Vincent order, who serve without any compensation whatever from the Territory. The hospital, orphanage, and sanitarium are all located upon adjoining and connecting premises, and in the aggregate constitute one of the most extensive and efficient charities to be found in the entire West.

In addition to above, there are a number of other private schools in the Territory under control of the Catholic Church, and also a number of mission schools supported by the Methodist missionary fund, but I have been unable to obtain reports from them.

THE INSANE ASYLUM.

The insane asylum, located at Las Vegas, is under the same management as last year and continues to be conducted with care and ability. Owing to the smallness of the building, the institution is now very much crowded; but this will be remedied by an appropriation of $35,000 made at the last session of the legislature for the enlargement of the building, which we hope to have completed during the coming season. Upon the completion of these additions the institution will be able to maintain all of the insane, appropriations made by the Territory being ample for this purpose.

THE NEW MEXICO PENITENTIARY.

The New Mexico Penitentiary remains under the control of Superintendent Bergmann, and has been and is now being conducted on a plan of strict discipline accompanied by due regard for the health and reformation of the prisoners.

This is regarded as a model institution. Those well informed in such matters pronounce the management of the New Mexico Penitentiary to be equal to that of any other in the country.

Colonel Bergmann is peculiarly adapted for the position he occupies, having received a military education in the German army, supplemented by long service as colonel of volunteers in the American Army, where the experience obtained peculiarly fits him for the management of an institution of this character.

I herewith submit his report for the past year:

NEW MEXICO PENITENTIARY,
OFFICE OF SUPERINTENDENT,
Santa Fe, N. Mex., August 22, 1895.

SIR: In obedience to your instructions, I respectfully submit for your information the following report relating to the New Mexico Penitentiary for the past year—that is to say—from the 1st of July, 1894, to the 30th of June, 1895.

There were in prisor July 1, 1894		154
There were received during the year		109
Recaptured		1
Total number in prison during the year		264
Discharges were as follows:		
By expiration of sentence	59	
Died	1	
Pardoned	10	
By writ of supersedeas	1	
Escaped	1	
Transferred to insane asylum	1	73
Leaving in prison June 30, 1895		191

This was an increase of 37 over the number in prison at the close of the preceding year.

Of the number received during the year 103 were white males, 1 colored male, 1 Chinese male, and 4 white females; 101 were committed on first, 6 on second, and 2 on third sentence. The largest number in prison during the year was 192, and the smallest number 140, making a daily average of 166 prisoners, as against 136 in the year 1894.

DISCIPLINE.

I am gratified to be able to report to you that the discipline in this prison has been exemplarily good; but very little punishment has been administered, and that only for trivial infractions of the prison rules. There has been no scheming or conspiring going on in the prison. The convicts labor well and cheerfully at the work assigned to them, and what amount of work they have performed during the year will be mentioned further on.

SANITARY.

The sanitary condition of the New Mexico penitentiary, as you yourself know from personal inspection, leaves nothing to be desired.

The percentage of sick has been less than 2 per cent. Only one death has occurred in prison during the past year, and that the first one since October, 1892.

MORAL AND RELIGIOUS INSTRUCTIONS.

Moral and religious instructions have been steadily kept up every Sunday during the year. Divine service and the Bible class are eagerly attended, and the male choir has made marked progress.

EMPLOYMENT.

The fact that the employment of prisoners at some industry is a necessity to sanitary, disciplinary, and reformatory results has never been lost sight of in this prison, and, I am happy to state, it has been productive of beneficial results, not only to the prisoners, who, with rare exceptions, will now, when out of prison, do a day's honest work, either as mechanics or common laborers, but also to the Territory on account of the pecuniary value received from it, and which is thus nearly compensated for the expenses incurred by the convict.

During the year ending November 30, 1894, as has been reported to you, the convicts in the New Mexico penitentiary did not only earn their maintenance, but earned, in Territorial work, over and above it 7.07 cents each per day. These earnings will be considerably increased at the end of this year. However, the question of finance in prison management should only be look upon as subsidiary, and I must therefore be pardoned when pointing with pride to the principle which, as above stated, has been crowned with beneficial results.

In conclusion, I beg to state that the cost of maintaining your convicts during the past year has been also reduced from 43 cents to 38.84 cents per man per day, which amount properly apportioned reads as follows:

	Cents.
Salaries for all officers, employees, commissioners, medical attendance, etc...	23.42
Subsistence	11.63
Clothing	03.79
Total	38.84

As against 43 cents during the last year.

I have the honor to be, sir, very respectfully, your obedient servant,

E. H. BERGMANN, *Superintendent.*

His Excellency W. T. THORNTON,
Governor of New Mexico.

CHARITABLE INSTITUTIONS.

There are four charitable hospitals within the Territory of New Mexico. One is situated at Santa Fe, one at Las Vegas, and two at Silver City, where the indigent persons of the Territory are supported at the expense of the public.

The report from each of these institutions shows them to be under good control and that the aid granted by the Territory is sufficient for the purposes required.

IRRIGATION.

It has truly been said that "irrigation is the touchstone of successful agriculture." In America it is but in its infancy, and yet the development which this great science is obtaining here is one of the marvels of the age.

It is commanding the attention of the best minds of the age; it is the outgrowth of a necessity, brought about by the climatic conditions of the great West coupled with the fact, now being prominently presented to the people of this country, that the vast domain of a Government which a few years ago was considered sufficient to furnish homesteads for ages to come has, so far as the temporal regions are concerned, been exhausted, and the Government has to-day no more homesteads to give except to the settler in the arid region, where irrigation is a necessity.

New Mexico has been known in the past as a pastoral country, large areas consisting of extensive mesas or plains, bottom lands, and mountain valleys, covered with, rich nutritious grasses, principally the black and white grama, which grow naturally without irrigation, cure in the sunshine, and furnish food summer and winter for the great herds of sheep and cattle which in the past have been the principal resources of our farmers and stock growers. The cattle industry of New Mexico is greater than that of any other Territory, and the last census shows New Mexico to rank as the fifth State in the number of her sheep and the seventh in the value of her wool.

Valuable as are these natural grasses, however, as an aid to agriculture, they are, owing to the small rainfall, so limited in quantity as to be insufficient to support more than a sparsely settled community, so that I repeat again the statement that the future prosperity of the Territory depends upon the extent to which irrigation may be successfully carried. The efforts of the past show the wonderful productiveness of the soil after reclamation, and present effects are proving the large acreage susceptible of reclamation by irrigation at very small expenditure of capital.

Many persons unfamiliar with this mode of agriculture fail to realize its advantages. Those of us who have been reared in the Mississippi Valley, the most fruitful and the largest body of arable land in the world where crops are raised without irrigation, have had no occasion to study the advantages and disadvantages of artificial agriculture, and few realize the extent to which irrigation has been carried in the past. Two-thirds of the food supply of the world is produced in arid regions by the use of irrigation. The densely populated regions of Persia, China, East India, and Japan depend almost solely on irrigation for their food supply, having a rainfall less than that of the arid regions of America. Japan contains 23,000,000 acres of arable land, which support eight persons to the acre with crops grown solely by irrigation.

Irrigation is no new art or recent discovery; the past is replete with instances of its success. Babylon, Tyre, and Carthage, queen cities of the past, were all desert born. Their grandeur and worth were all drawn from the canals and ditches that watered the land surrounding them. The lilies that grew in the world-famed gardens of Babylon were the result of artificial irrigation. The greatest monuments of the people who reared these fabulous trade centers are their ruined works fashioned for the preservation and distribution of the water. Of the great city of Carthage not a stone remains, but the magnificent aqueducts that supplied her water still exist and water the city of Tunis.

POSSIBILITIES OF ARID AMERICA.

With a soil as rich as is found in any portion of the world, adapted to the growth of every variety of grain, vegetable, vine, and fruit produced in the temperate zone, a climate unsurpassed, it would seem that the American desert might, with sufficient capital and effort for the saving and utilizing of the flood waters of summer and the melted snows of winter, be in time made the garden of America, the home of a larger population than now inhabits the fertile valley of the Mississippi and its tributary streams. Unfortunately, the policy of the Government has, to a certain extent, retarded the reclamation of the arid public lands and prevented the development of the regions requiring large expenditures for reclamation.

In every part of the Territory the people are alive to the necessity of irrigation, and are either completing irrigation systems begun in the past or are entering upon new enterprises. In the extreme northwest, in the county of San Juan, which is the only locality in the Territory where the water supply largely exceeds the land to be irrigated, four extensive enterprises are in the course of completion. The waters of the San Juan, Animas, and La Plata rivers are being taken out and carried upon the adjacent plains. Four hundred miles of ditches have already been completed, and it is estimated that they will cover 225,000 acres of land, of which from 60,000 to 80,000 acres are now under cultivation. During the past year one extensive reservoir has been completed at Santa Fe, and a still larger one is in course of construction.

An important subject, and one that is now attracting the attention of those interested in irrigation, and one which should receive the most careful consideration, is that of legislation—the enactment of laws to facilitate reclamation of the desert lands, and at the same time fully protect the owner in the water rights acquired. It is especially important that the investor should know just what right he is acquiring and that he will at all times be protected in the right acquired.

Capital is always timid, and must have a guarantee of perfect protection before investing. Safety of the principal and certainty of the interest are the two salient points never overlooked by the careful business investor.

How to do this is a question of grave importance. Certain it is that our present land laws, national and State, are entirely inadequate; the present land laws were not framed to meet the conditions found here; they were enacted at a time when the arid region was never thought of as an agricultural country, and to suit the conditions arising in the great temporal regions of the Mississippi and her tributaries.

The law for the acquisition of the lands from the Government in the arid regions should be changed to meet the conditions existing here. It would greatly aid the settler, and in many instances prevent the appearance of fraud, which is so frequently charged against the settler when he is honestly trying to comply with the requirements regulating the performance of acts absolutely useless for the purposes to which he intends to apply the land.

WATER RIGHTS SHOULD BE DEFINED.

Not only does the law need changing as to the mode of obtaining title, but the right which the settlers acquire to the water should be definitely and clearly defined, so as to eliminate that uncertainty now

so often found among claimants who obtain their supply from the rivers and streams that traverse two or more States or Territories.

Take, for example, the Rio Grande, which traverses the southern part of Colorado, all of New Mexico, and forms the boundary of many hundreds of miles between the great State of Texas and the Republic of Mexico. For more than 1,000 miles it passes through a country where its waters are used for irrigation and those using them are the citizens of two great Republics. Those of one obtain their rights from three separate sources, the States of Texas and Colorado and the Territory of New Mexico; and those of the other—the Republic of Mexico—from the States of Chihuahua, Coahuila, and Tamaulipas.

The waters being insufficient to meet the necessities of all, it can readily be seen how intricate is the problem presented and how difficult of adjustment in such a manner as to do exact justice and protect each proprietor in his holding. This is a difficult task where the stream is wholly in one State, where one code of laws regulates the rights of all; but here we have the citizens of two nations, governed by six different law-making bodies, each acting independently of the other, to increase the difficulty and make "confusion worse confounded."

It is true the law gives to the party first appropriating the waters of a stream the proprietorship for the quantity appropriated, but the constant construction of new ditches at various points up and down the stream, distant from each other, often renders it difficult to determine who has the prior right, and in seasons of drought to properly distribute the water between those standing upon an equal footing, even when all the parties are subject to the same jurisdiction and the matters in dispute can be submitted to a single tribunal for adjustment; but the difficulty is increased when State or national lines intervene which limit the jurisdiction to only a portion of the litigants.

INTERSTATE AND INTERNATIONAL QUESTIONS.

The first settlements upon the Rio Grande were made in Texas and in the Republic of Mexico, where labor and money were expended in improving the farms and appropriating the waters of the streams. Vested rights were acquired to the waters thus appropriated; but, as years went by, settlements were made higher up the river in the Territory of New Mexico sufficient in extent to largely consume the waters of the stream unless some means were taken to save the flood waters; and, still later, settlements were made in the State of Colorado and extensive ditches constructed, and such quantities of water used as to interfere with the rights of the settlers lower down, and the farmers in Texas, Mexico, and lower New Mexico are beginning to feel the effects of an occasional water famine.

The first proprietors have the better title and should be protected, but how this is to be done is a difficult question to be solved, and presents one of the most complicated legal problems of the age. It requires the most careful consideration from those who have the welfare of the country at heart. Have the proprietors of the water rights in the Republic of Mexico or the State of Texas any remedy under the existing laws that can be practically enforced? Must the citizens of the Republic of Mexico and the State of Texas submit to the unlawful taking of water to which they, as proprietors, have the first right, or is there any way of enforcing their rights; and if so, before what tribunal can they be enforced? The difficulties presented here are repeated in every instance where a stream crosses the line of two or more States or Territories.

Another subject which has for some time attracted the attention of those interested in irrigation is, How and by whom the flood waters are to be conserved? Who shall formulate the plans and furnish the capital required for the extensive improvements necessary to this end?

Three plans have been suggested: First, that the General Government do it; second, that the lands should be turned over to the States and reclaimed by the States; third, that it be done by private enterprise.

Each of these three plans has some features of especial merit; but, in my opinion, the first is the better one and the only way to save all the flood waters cheaply and apply them justly to the reclamation of the desert lands. There are many reasons why this plan should be adopted and this work perfected by the General Government. As I have said before, the policy of the Government's present land laws is detrimental to the reclamation of the arid lands by private enterprise.

THE UTILIZATION OF WASTE WATERS.

In a large majority of cases, under existing conditions, the utilization of the waste waters by private enterprise is impracticable, and the instances heretofore mentioned as being successfully realized are in connection with large properties privately owned (with one exception) by titles derived from the Spanish and Mexican Governments.

The policy of our Government is to prevent the acquisition of large bodies of the public domain by a few persons, and to see that it is reserved for homestead and preemption rights for her citizens, believing it to be better that each man should be the owner of his own home. Where the waters of great rivers like the Pecos, Rio Grande, San Juan, and the Colorado of the West, with their tremendous annual floods, are to be controlled placed in reservoirs, and conserved for the redemption of large bodies of arid lands, it must be done by an aggregation of capital working to a single purpose, directed by men of ability, aided by experienced engineers possessing great technical knowledge and capable of calculating accurately the results to be achieved.

It is certainly on a line with the present policy of the Government that the work should be conducted by the Government to prepare homes for her citizens that each individual may be the owner of his own homestead and look to the Government for his water supply, and not be subjected to the grasping avariciousness too often found to exist where private corporations own the water.

It has been the policy of the Government, as I interpret it, from the passage of laws preventing aliens from acquiring property in the Territories, and even from preventing a corporation or aggregation of individuals from acquiring more than 4,000 acres of land under one ownership, as well as by many other acts of Congress with reference to the sale of public lands to bona fide settlers, to preserve the public lands for their use and benefit, and unless this governmental policy be changed, and the public domain be disposed of in large blocks, to be under the control and management of one directing head, it will be impossible to get that concert of action required for successful reclamation of these lands by individual enterprise.

SHOULD BE UNDER GOVERNMENTAL CONTROL.

Almost from its inception the doctrine of internal improvement has been adopted and followed; millions have been expended in the construction of levees, in the improvement of rivers, the building of

canals and railroads for the welfare and convenience of the people, and why should not this same liberal policy be extended to the reclamation of the arid lands? The same amount of capital honestly and judiciously invested for the conservation of our flood waters and the reclamation of these lands will furnish more homesteads to the people of the nation than has ever been done by the policy of building levees and draining the swamps of the great rivers, and will be of more benefit to the people of this nation than any public improvement ever entered upon.

Another reason why the reclamation of the desert lands should be under the control of the Government is from the standpoint of economy. The Government can raise the required funds to do this work at a less expense than can be done either by State or private enterprise. Money raised by private enterprise would cost at least 7 per cent, by the State from 5 to 6, while the General Government could obtain it at a rate not to exceed 3 per cent, and as the cost to the farmer would be governed by the interest upon the money invested, his water rate would not be more than one-half as much when the improvement was made by the Government.

PROFITS IN FATTENING CATTLE.

It is conceded by the most enthusiastic advocates of irrigation that the conditions of the Rocky Mountain regions are such that only a comparatively small portion of the land can ever be reclaimed.

A writer in the North Western Magazine for the month of June last estimates that "if a furrow be run across a 20-acre field the space occupied by the furrow would bear about the same relation to the whole field that the area reclaimable by irrigation bears to the whole of the arid region."

All who have given this matter any attention will agree with me that this is an exaggerated statement, and that a much larger portion can be reclaimed.

We must admit, however, that the portion reclaimable is small as compared with the whole, but this is one of the reasons why more care should be given to the subject, and a greater effort made to reclaim all that is practicable.

Nearly every acre of the arid land is covered with native grasses, the black and white grama, and the bunch, or what is known as the buffalo grass, which grows entirely without irrigation, cures in the sunshine, and furnishes food winter and summer for the great herds of range cattle and sheep that have for years been the principal source of revenue to the ranchmen. Those best informed estimate that the arid region will as a whole, in its natural condition, sustain one steer for each twenty-five acres of land. These native ranges furnish the great breeding grounds for large herds, and must ever be principally devoted to that purpose, but the native grass is not sufficient to fatten the stock and prepare it for market, and during serious and protracted seasons of drought great numbers die from starvation.

In my opinion, the most important measure to be accomplished at this time is to provide means here at home to prevent the great suffering to the range animals and their death from starvation, and to furnish the food for their fattening.

In the past the profit of the cattle business has gone largely to the feeder in the States, while the breeder has received a very small portion.

A few moment's examination of the facts will show the magnitude of this loss. Take as an example this Territory, which contains an area of over 78,000,000 acres of land, and allow that it will support one-half of the estimated average, and it will sustain 1,500,000 head of cattle, and of those we should send to the market at least 500,000 per year.

I believe the Territory of New Mexico could be made to send more than this number. As a matter of fact, from statistics obtained from the railroads and others best informed on this subject, I learn that there has been shipped this year from this Territory something over 200,000 head of cattle.

Range steers at 3 years old have been bringing on an average $16 per head, while the same cattle bring a few months later in Chicago and Kansas City not less than $50 per head. This, after allowing $5 per head for freight, would give to the feeder $29 per head for his labor and feed, all of which would be retained here, add to the local revenue, and give employment to our people, if one-half of the flood waters now going to waste were saved, without interfering with the other branches of agriculture and horticulture.

VALUE OF ALFALFA AS FEED.

I have made careful inquiry from the ranchmen of every county within the Territory relating to the cost of producing the various kinds of feed for stock and the quantity to be produced per acre, and they agree that alfalfa is the most profitable food to be raised; that the average yield is about 3¼ tons, at a cost of $6 per acre for water, cultivation, and harvesting.

Those who have had large experience in feeding alfalfa to cattle, and who have made careful estimation of the quantity required to fatten the average steer and watched the daily increase in weight, estimate that 2½ tons are sufficient to the animal, and that the steer will take on from 175 to 225 pounds in about two and a half months, and would at the present price bring in Chicago or Kansas City about 4 cents per pound, or $50 per head.

If this estimate be correct, and there is no reason to doubt it, it will be seen that 200,000 acres put in alfalfa would be more than sufficient to fatten the 200,000 head of steers shipped annually from this Territory to be grazed and fed in other localities, and would bring to this Territory over $5,000,000 in addition to that now received.

The Pecos irrigating system as now completed will be able to supply this acreage, and we are informed that it is the intention of the promoters, in connection with their other enterprises, to make it a great feeding ground for the range stock.

The waters of the Rio Grande are sufficient to more than quadruple this, while those of the Cimarron, Red River, Rio Puerco, Blue Water, Mimbres, Las Animas, La Plata, San Juan, and other streams in the Territory are sufficient to enable the reclamation of at least 2,000,000 of the 78,000,000 acres.

MINING.

The mining industry, which was suffering so seriously one year ago as the result of the depreciation in the price of silver and lead, the two minerals most generally produced, has very much revived during the past year. Especially is this the case with reference to the camps containing gold, and there are engaged in the business of mining almost

as many miners as at any time in the previous history of the Territory of New Mexico. The result of their labors will be shown in the reports given from the various localities of the Territory hereinafter.

IRRIGATION AND AGRICULTURE.

There is probably at this time no industry exciting so much attention throughout the arid region as that of irrigation. The result of enterprises heretofore undertaken with a view of reclaiming the arid lands within this Territory has been very satisfactory, and a very large acreage is being reclaimed and put under cultivation by the use of the waters thus conserved.

I have thought best to secure from various localities throughout the Territory a statement of their material resources and the efforts being made to develop them at this time, and from the information so obtained I submit the following:

THE PECOS VALLEY.

This favored region, lying as it does by itself in the extreme southeastern part of the Territory, and cut off from the other sections by mountain ranges, deserves especial mention, because it furnishes the best of exemplifications of benefits that arise to the arid districts from irrigation enterprises well conducted and built upon an extensive scale. This valley includes the two counties of Eddy and Chaves, which should be spoken of together because they are included in the same general system of irrigation. This system, as it now exists, was completed in the preceding year, but an additional reservoir to supply further land is being arranged for and will probably be built in the next few months. This will be located in Chaves County, west of Roswell. During the last twelve months the storage and distributing reservoirs lying in Eddy County have been made more secure than ever against possible danger from flood waters by having greater waste ways provided. These reservoirs have been kept full during the last year, holding much more water than is needed for the land now under cultivation. Though unprecedented floods have gone down the Pecos River they have been easily passed through the lakes, demonstrating the practicability of damming our mountain rivers to store the surplus flow for irrigation purposes.

One of these bodies of water, Lake McMillan, near Eddy, continues to be the largest artificial irrigation reservoir in the world, with the exception of one in India. To the 1,200 miles of canals and smaller conduits have been added this year about 100 miles of latterals, covering additional land put under cultivation. The beautification of roadways and streets by the planting of shade trees upon an extensive scale, by private and municipal enterprise, continues. The various town sites and agricultural settlements no longer bear semblance to the barren plains that existed prior to the commencement of canal construction six years since. Villages are growing up at suitable intervals along the whole system, providing the benefits of schools, churches, and social features for the rural population. The conformation of this wonderful valley is such that the railway necessarily almost runs through its center, and every farm is in sight of the transportation artery, in reach of telephone and telegraph, and in close distance of a railway station. This situation is resulting in the establishment of modern farming settlements, in which is utterly absent the isolation that drives from the farm of the East the energetic youth of the land.

This year there has been marked progress in all lines of agriculture, the tillers of the soil having learned by experience the best methods of cultivating the land, using the water and determining the crops best adapted to the land and climate, so that the experimental stage of agriculture and horticulture has been well passed, and more rapid development will be possible by the resident population and future settlers. The planting of orchards of deciduous trees continues throughout the valley, every farm having its quota of from ten to forty acres. One orchard of 500 acres of apple trees alone, has been planted this year, south of Roswell, by an association of eastern apple growers, after an inspection of valley fruits and soils, and the same parties expect to add 1,500 acres of apple trees in the same locality.

This year in Eddy County a number of large vineyards came into bearing, and the shipment of California varieties of grapes by car loads is now in progress. The grapes are of superior quality, bear shipment well and are certain to become an important feature of the valley. Advance is being made in the cultivation of canaigre, the tannin plant to which reference was made in the preceding annual report. The establishment of a factory to extract the tannic acid of the plant for shipment has been decided upon, probably in connection with a beet-sugar factory.

Beets in considerable quantity are being grown by most of the farmers for further test purposes, and the establishment of a factory for next year is promised. Creameries, cheese factories, pork packeries, fruit and vegetable canneries are all being planned for by local associations or projected colonies, to bring to the farmer the greatest return for his products. Special attention is being given to raising hogs for shipment. Thousands of the finer varieties are now maturing upon the alfalfa pasturage of the valley, and with slight feeding with Indian corn, milo maize, or Egyptian corn, will be finished cheaply. Many car loads will go to market this year, though this branch of industry did not really begin operations until a year ago. This season many of the peach orchards planted in the lower valley after the construction of canals, produced excellent fruit, while the orchards of the older farms about Roswell are bearing their tenth successive crop of superior apples.

The success attained this year in wheat growing has already opened the way to the erection of a modern flour mill during the coming year. Stock feed, poultry, vegetables, and produce in abundance are now supplied by local producers, and importation of such food supplies altogether ceased with the opening of this season. The irrigated district is now reaching out to the mining and stock-growing regions for a market. Facilities for making communication easier between this base of supplies and the nonproducing parts of the Territory are being arranged for by the local railway company. Negotiations are actively in progress for extensions of the system into the White Oaks iron, coal, gold, timber, and marble district, and across the grazing region of northwest Texas, to connect with trunk lines of railway that will place the valley within thirty-six hours' distance of Chicago. This northern outlet will enable the surplus fruit products of the Southwest to have rapid transit to the great markets, which may even now be reached in less than half of the time required for the transportation of California products. This short and quick railway opening will also be of incalculable benefit in the shipment of live-stock products which are destined to be one of the main features of the agriculture in the Southwest.

The Pecos Valley Railway has, during the year of general railway paralysis, been extended to Roswell, at the head of the valley, a distance of 75 miles. This record if indeed equaled in the East in the same period was not by any Western line, with the exception of one which, it is worthy of note, was also constructed to reach an irrigated belt in Arizona. This extension of the valley railway has not only put the Roswell region in touch with the outside world, but opened to settlement the fertile prairies lying under canals already extending for 40 miles below Roswell, and also the partially developed artesian-well belt extending farther southward into Eddy County. The population of Roswell has been greatly augmented as a result of the railway extension, and a new town, named Hagerman, is growing up near the lower end of the Northern Canal. This place is located on the Feliz, one of the tributaries of the Pecos, and, although not a year old, has a number of business houses, a good school building, a newspaper, and the usual village population. The town is located in a section that has received the most of the agricultural settlers who have come this year from older farming regions and prairie States. So quickly does the fertile soil respond to the labor of man under irrigation methods that thousands of acres are this season supporting farming families, the average size of each holding being 40 acres.

This district was practically uninhabited when reached by the railway less than a year ago. It is also notable that the settlers of this locality were, almost without exception, successful farmers in the States from wichh they recently emigrated. The advent of so many genuine Eastern agriculturists is a healthy sign that the advantages of irrigation and of the climate of New Mexico are beginning to be appreciated by classes who can make the most of them.

This success of the vast storage system in conserving a river flow and the rainfall of the mountains will be of material advantage, as an example, in assisting other sections to procure capital for similar projects, and much development may be looked for in other parts of New Mexico in irrigation enterprises in the near future, while the prosperity of these two counties, under their diversified system of agriculture, will not only attract population from less prosperous parts of the United States to the genial clime, but also create interest within the Territory and assist in bringing about a revolution of methods in all districts adapted to similar industries.

REPORT OF G. A. RICHARDSON.

ROSWELL, N. MEX., *August 10, 1895.*

Hon. W. T. THORNTON,
Governor of the Territory of New Mexico, Santa Fe, N. Mex.

DEAR SIR: In reply to your request for information touching the increase of population, agricultural development, railroad building, etc., in Chaves County, I would say that in the last year there has been an increase of agricultural development and

cultivation between 1,000 and 1,500 acres, representing an agricultural improvement of from $15,000 to $25,000 within the last year. The town of Roswell, county seat of the county of Chaves, has been connected with the outside world by the construction and completion of the Pecos Valley Railway from the town of Eddy, in the county of Eddy, a distance of 80 miles, and this construction and completion of the railroad has given a general development all along the lines of agricultural and stock interests in this county, increasing number and price.

We have no mining interest, but to our west the mining interest of Lincoln County has been quickened by the completion of this railroad to Roswell. Surveys have been made from the town of Roswell to the town of Amarilla, in the State of Texas, covering a distance of 225 miles, for the purpose of extending the Pecos Valley Railroad to the northeast, giving us a most excellent railroad service to the south, north, and east. There is every prospect of the early completion of this line.

The population of the county has steadily increased, and within the last year the increase has not been less than 1,000.

Taxable property, as shown by the assessor's records, has made an increase in the last year of $432,946, in the year 1894 it being $1,631,008, and in the year 1895, $2,063,954.

Public lands have been filed upon in this county within the last year in acres about 25,785.79, and of which about 6,369.88 acres have been patented. This land is arid land and its entry is prompted by reason of the construction and extension of irrigating ditches and reservoirs.

Along the line of public education there has been a marked advancement, as shown by the construction of three public school buildings in this county—one at the town of Roswell, costing $2,500, it being the second building required in the town, and two others, representing in cost $3,500; and two other public school buildings will be built within the county between the date of this communication and the 1st of October, bonds having been voted for that purpose.

The New Mexico Military Institute, one of the Territorial institutions, will in a few months have new buildings, costing in the neighborhood of $15,000, and 40 acres of land, adjoining the town of Roswell, have been donated to that institution, giving a most beautiful location for an educational institution. The last legislature of the Territory of New Mexico gave this institution, in taxes levied and bonds issued, about $22,000 for the year 1895.

The board of regents of the New Mexico Agricultural College about a year ago located an experimental station, a branch of that institution, adjoining the town of Roswell, selecting a most valuable tract of land, which a few months ago was donated to the Territory for agricultural and experimental purposes by Mr. James J. Hagerman, of Colorado Springs, Colo. There will doubtless be a school connected with this experimental station at Roswell, aiding and assisting in the educational work of this county. These institutions will be a very great value to the Territory of New Mexico, located, as they are, in a community devoted to progress and public education.

G. A. RICHARDSON.

LINCOLN COUNTY.

White Oaks country.

White Oaks is situated in the center of the largest mineral belt in the Territory. It extends from the Gallinas on the north to the Sacramento Mountains on the south, a distance of more than 100 miles, with White Oaks the central point. Situated as it is, nearly 100 miles from a railroad, the development of necessity has been very slow, and but little of this mineral belt has been thoroughly prospected and a still smaller portion has as yet been developed. Transportation without a railroad is impossible for any of the products of these mines except gold, and this fact has compelled prospectors to confine their investigations to a search for gold almost exclusively. The discoveries made during the past five years have demonstrated that even the gold belt has been but partially prospected, to say nothing of the silver, iron, lead, copper, zinc, marble, coal, and other mineral deposits, which are still open and subject to entry, the entire belt being on Government land where perfect title can be procured. At White Oaks a number of claims have been patented and a number have been developed to a considerable extent. Most of this development has been done upon capital derived from the mines themselves, and very little outside money has been invested here which has not been restored. The deepest workings are something more than 1,000 feet, which occurs in the North Homestake, while the other properties range from 700 feet down to mere prospects. These workings show that nothing is lost by depth, the ore bodies in the lower levels being less broken and more permanent and more certain than nearer the surface.

In Nogal and Dry Gulch canyons some work has been done, but not of a systematic character, as a rule, and while several claims have been held and worked at various times, which have shown unquestionable evidence of great value, the best properties are owned and controlled by persons or companies who appear to care little as to whether or not they are operated. Some people seem to think that a mining

claim will increase in value as well when idle as while development is going on and new ground is being opened up, not realizing that the reverse is true. Nogal has been unfortunate in this respect, and in consequence the best claims in that camp are nonproductive.

The Bonito country has shown quite extensive bodies of lead and silver ores, as well as considerable free-milling gold ores, but without the transportation which a railroad alone can bring to these properties nothing can be done toward placing them on a paying basis. Therefore the development has only been pushed to the extent of the prospector's ability to meet the expense. The deposits of gold ore on the Bonito so far disclosed are mostly large in extent, but of low grade, requiring very large and complete milling plants to work them at a profit. The difficulty and expense of constructing such reduction works, of the needed capacity, at a point so far from lines of railroad has prevented the development and operation of these properties. The same is true of the Vera Cruz group, nearer White Oaks.

For more than fifteen years prospecting has been going on in the Jicarilla Mountains on the north of us, but it is only during the last few months that this work has resulted in the discovery of what appears to be the bodies of ore for which such persistent search has been made.

Coal.—In the immediate vicinity of White Oaks there lie practically undeveloped, for lack of transportation, at least two veins of coal, each something more than 4 feet in thickness, and of an excellent quality. These seams have only been developed to the extent of the local consumption during the past fifteen years of the settlement of the camp. One of these seams lies in sandstone, floor and capping; the other in slate. Both contain a most excellent quality of bituminous coal of good coking qualities and unexcelled as a steam fuel. This, within 150 miles of El Paso—the best coal market of the southwest—is of the highest importance to a railroad when the subject of local traffic is under consideration.

At Salado, some 25 miles south, what is apparently the same coal as is found here has been opened to a very limited extent. While the development there and at intermediate points has not been sufficient to demonstrate fully the character and amount of the coal, it is believed that these seams will prove to be equal to those in this immediate vicinity.

There has been opened a seam a few miles northeasterly from White Oaks, which promises good results, but needs further development to fully ascertain its true character.

Recently coal has been opened at a point this side of Three Rivers, about 25 miles from here in the direction of El Paso and on the line of the proposed railroad, which promises, if reports can be credited, to eclipse anything else in the country. The seam is said by those who have investigated it to be 10 feet or more in thickness, without bone or fault, and to contain a solid face of pure coal, which tests show to burn freely, leaving very little ash.

The total output or coal at White Oaks has resulted in 6,000 tons for the past year, this production being limited by local consumption only, for milling and mining purposes and custom service.

Iron.—Ever since the advent of the miner and prospector into this mineral region it has been known that immense bodies of iron ore existed in the locality of what now is White Oaks. The quantity of these deposits was not a question of serious consideration because on every hand was visible the evidence of the practically unlimited extent of the ledges of this mineral. It only remained for experts, assayers, and chemists to ascertain the value of the ores which appear in such enormous quantities in the mountains in this vicinity. To this end the service of numerous assayers have been from time to time employed to make analytical tests of these ores, and their value has been fully ascertained. Out of a very large number of tests made which are now at our command we have selected the following, prepared by Mr. Morris B. Parker, and which show a fair average of the whole. Samples for tests were taken from three different localities as follows:

1. *Hematite ore.*—West side of Lone Mountain, about 3 miles from White Oaks:

Iron	65.52
Silica	3.60
Sulphur	.41
Phosphorus	(*)

2. *Hematite ore.*—East side Lone Mountain, about 2½ miles from White Oaks:

Iron	63.10
Silica	6.30
Sulphur	.21
Phosphorus	.011

Pure hematite contains 70 per cent iron and 30 per cent oxygen.

*Not determined.

3. *Magnetite ore.*—Jicarilla Mountains, about 11 miles from White Oaks:

Iron	62.2
Silica	8.3
Sulphur	.34
Phosphorus	.0084

Pure magnetite contains 72.4 per cent iron and 27.6 per cent oxygen.

Repeated tests have been made on all these ores for titanic acid, but no trace was found.

It will be seen by those familiar with the subject of iron ores that those analyzed and reported above compare favorably with those in the great iron-producing localities of the world. In fact, very few are reported to excel us in the high grade and purity of their ores.

As we have heretofore intimated, is it not more than probable that these deposits, with beds of coal and lime within so short a distance from them, will become the basis of a distinctive and paying iron industry whenever they shall be reached by railroad transportation connecting them with markets of the world? Would not this alone justify and warrant the building of a road from one of the lines already in operation not far distant from us?

Marble.—It is not generally known that there is no true black marble in the markets of the United States, except what is imported from Belgium, and none is known to exist in America aside from our own here in the vicinity of White Oaks. It is said by those in position to know that the demand for this class of marble would be practically unlimited could it be supplied at such a price as would enable consumers to use it at something like a reasonable cost.

The ledges found here, while not containing altogether pure black, show layers or strata which are free from streaks of white or colors. As to the quality of our deposits, one of the most experienced men in the United States in this line of industries, Mr. George C. Underhill, of Rutland, Vt., after testing a sample sent him the present year, pronounces it "A 1." This opinion only corroborates those of other marble dealers and workers who, from time to time, have tested and passed upon the quality of the marble found to exist in large quantities near this place. All have spoken of it in the highest terms. Specimens have been sent to Denver, Colo.; El Paso, Tex.; Chicago, Ill.; Oskaloosa, Iowa; St. Louis, Mo.; Indianapolis, Ind.; Fort Scott, Kans., and other places, the reports from all of which have been favorable. If, upon thorough and systematic development, it is found to be as large in extent and to retain the uniformly good quality which present conditions and explorations indicate, there would result from this industry alone a large tonnage for the railroad which would command its output.

There are several hundred acres of this marble already disclosed in the immediate vicinity of White Oaks and some croppings in other localities in this region, and there is no apparent reason why it should not soon become the basis of an industry which would, when it is reached by railroads, send a steady stream of its valuable products to the markets of the world.

Sandstone.—The extent and quality of the sandstone here warrants the assertion that a very considerable tonnage of this product will be realized by the railroad that passes in its vicinity. This stone has been tested, not only in White Oaks, where it can be seen in our best and most attractive buildings, but by builders and experts elsewhere, and pronounced first-class building stone in every respect. In appearance it is equal to any, and presents a much more agreeable presence than most, of the noted building stone of this country. It extends from a point within a few yards of White Oaks to the base of Patos Mountain, 3 miles or more. The ledges have been opened near town, and the various demands of the community have been supplied therefrom. These openings disclose stone from 6 inches to 4 feet in thickness, of beautiful building material, which can be taken from the quarries in almost any length and width desired.

On the north side of White Oaks canyon is found a very light-colored stone, of which some of our finest buildings are constructed, and on the south side is a quarry of a much darker shade which inclines to a bluish tint. About 6 miles to the north is another deposit of sandstone of a dark brown. This ledge has not yet been opened, except to secure a few blocks for special use, because of the difficulty of hauling, there being no traveled road near it. It has, when dressed, a reddish tint, is exceedingly firm and close grained, but easily worked and taking a polish almost equal to marble.

The ledges are very extensive, and, when reached by railroad, this stone will meet an unlimited demand because of its beauty, finish, and strength and the cheapness with which it can be procured. The stone from all these ledges can be cheaply quarried, is easily worked, and will bear any reasonable pressure it may be subjected to.

Refractory ores.—It has long been known that large bodies of concentrating and smelting ores are located in this mineral belt, known as White Oaks, and vicinity; but, owing to the distance to railroad transportation, can not be developed.

In the Gallinas, to the north, there occurs refractory ores, consisting of copper carbonates and oxides and lead sulphides, sulphates, and carbonates. Silver is found more or less in all of these ores. The formation is such in this country that prospecting is difficult owing to the depth of these deposits. Situated in a sedimentary formation more or less intersected by eruptive dikes it is found best by experience to sink shafts in the bottom of the arroyos. A shaft located in one of these arroyos, sunk to the depth of 50 feet, has exposed a solid body of lead sulphates and carbonates, and for the last 15 feet samples taken on the four walls and bottom of shaft yield average assay returns of about 40 per cent lead and 20 ounces of silver per ton. This body of ore has been exposed in three different places; a shaft sunk to the depth of 100 feet has developed a body of copper carbonates and oxides containing silver, samples of which give assay returns of 30 per cent copper and 25 ounces of silver. The indications are very favorable for finding large bodies of this ore.

In the White Mountains to the south, in which are located Nogal, Bonito, and Three Rivers, there is no doubt but that large quantities of shipping ores exist, consisting of sulphides of lead, iron, and copper, running high in gold and silver. Float native copper has been found. These mountains are said by those familiar with the subject to consist of a granite core, intersected by eruptive dikes, being the seat of great volcanic disturbances. These mountains, while containing large bodies of free milling gold ores, are intersected by numerous and well-defined fissure veins, from 2 to 15 feet in thickness, carrying ore of such a character as to be a true concentrating or smelting proposition, which with railroad facilities, along with their own fluxes, that is, iron—hematite, magnetite, and limonite—lime, coal, or coke, could be shipped to smelting centers.

Mineral industries of White Oaks.—White Oaks is chiefly dependent on its mining and cattle industries. In Baxter Mountain, 1 mile west, are located the old and established gold mines. This is essentially a granite mountain traversed by effusive rocks, resulting in numerous seams and fissure veins carrying free gold, usually coarse. The ore-bearing rocks are of an oxidized nature, and this to a known depth of over 1,000 feet. All mines located in this mountain are exceptionally dry, requiring no outlay of capital to drain the properties.

The question of water in sufficient quantities for mine and milling purposes, which for a long time in the earlier days was a serious one, has been settled beyond a doubt by the discovery of a large flow at no great depth in the canyons of the foothills between White Oaks and Baxter Mountain. Borings 100 to 200 feet have demonstrated this fact.

The Old Abe during the past year has been running its full capacity with the exception of three months immediately following a destructive fire of its shaft and shaft house, during which time extensive improvements and repairs were in progress.

The South Homestake was running the entire year, while the North Homestake has been in operation a considerable portion of the year. The Rip Van Winkle has been doing some work with favorable results.

For the treatment of these ores there are two 20-stamp mills and one 10-stamp mill, and three Huntington mills. The treatment consists of simple plate amalgamation and no concentrating.

The tailings of the North Homestake during the past year have been successfully treated at a small profit by cyanide. Experiments with cyanide on the other tailing dump have not proved successful, the tailings being too low grade.

Placer mining in Baxter Gulch, principally by Mexicans, has been carried on to quite an extent.

In the Jicarilla general activity in mining, principally prospecting, during the past year has resulted in the reduction of some ore, and in the development of a few claims to the point of permanent production. One mill has been erected and in operation. In these mountains there are six wells being bored to obtain water to placer Warner Gulch, which shows good deposits several miles in extent.

In Nogal district some work, not extensive, has been done. At the American mine, in Dry Gulch, a small amount of work is now going on. Here they are somewhat interfered with by water. A 15-stamp mill is located on these properties.

Lime, like the coal for local consumption, is obtained and burnt on Lone Mountain, 1½ miles from White Oaks.

The following is the assessed valuation of Lincoln County:

Real estate	$511,249
Cattle (91,300)	639,100
Personal property	484,651
Total valuation	1,635,000

Personal property includes sheep, goats, stock horses, saddle ponies, mules, etc., also improvements on United States land.

There are in this county 91,300 assessed cattle and 60,000 assessed sheep, besides 30,000 sheep grazing in the county paying taxes in other counties, making a total of 90,000 sheep.

Owing to the large amount of rainfall this year, the condition of the ranges is better than it has been for ten years past; consequently the cattle and sheep industries are very much improved.

In addition to the foregoing report, for which I am largely indebted to Mr. J. Y. Hewitt, of White Oaks, I submit a further report with reference to Lincoln County prepared by Mr. James J. Dolan:

LINCOLN, N. MEX., *August 12, 1895.*

DEAR SIR: In compliance with your request of July 30, 1895, I have the honor to submit the following report, which is as near correct as I could possibly get it in the limited time accorded me:

Population.

According to the best information available the population of Lincoln County is 6,425 souls, and about equally divided between the American and the Mexican nationalities.

Taxable property.

According to the returns of the assessor the taxable wealth of Lincoln County is $7,600,000; rate of taxation, $2.20 on the hundred dollars, 26 cents less than the rate of 1894.

Settlement of lands.

Lincoln County has many thousands of acres of unsettled lands. Yet those sections most available for general use are being rapidly taken up. The total area of the county is 5,017,600 acres, and in addition to this there are about 56,160 acres of the Mescalero Indian Reservation within our county lines, the balance, some 30.000 acres, crossing the line of Donna Ana County.

Commerce.

Stock raising, mining, and agriculture are the main industries, the two former growing and developing rapidly. These are the chief means of support of our people. The agricultural industry is still in an embryo state.

Progress of railroads.

There has been no progress in this direction. There is not a foot of railroad in Lincoln County, but a restoration of prosperity to the country would probably bring us two roads—an extension of the Santa Fe to White Oaks, in this county, and a tap from the Pecos Valley Railroad to Lincoln and on through to the immense coal fields a few miles west.

Agricultural developments and irrigation.

It is difficult to estimate the amount of land that might be irrigated from the various sources. It would not, however, in my judgment, reach over 100,000 acres. Irrigation is in its infancy in Lincoln County. The land now cultivated is mainly confined to the valleys of the Rio Bonito, Ruidoso, Upper and Lower Penasco, and Eagle Creek, all of which are traversed by beautiful, clear, running streams, heading in the White Mountains in this county.

All the vegetables thrive, and to a greater extent than one would think possible. In fact, almost anything that is grown anywhere in the world can be grown here. One acre of our cultivated land will produce equal to 2 acres of the average land in the States. We can beat the world on fruits. There is a wonderful future for Lincoln County in the line of agricultural development.

Stock raising.

Lincoln County is peculiarly adapted to stock raising. No section of country in the great Southwest can surpass it in this respect. It is accurately estimated that there are in the county 125,000 head of cattle, 100,000 head of sheep, and about 6,000 head of horses. But few horses are raised for sale. Circumstances are so favorable to stock raising in Lincoln County, that prudent managers think that 2 per cent is a

very liberal estimate of loss from all causes while the cattle or sheep are on the range. Both cattle and sheep have been greatly improved by the importation of the very best and purest blood to cross with the native breeds.

Lumber.

There are three sawmills in Lincoln County: One 20 miles north of the town of Lincoln, another 20 miles west, and another about 30 miles west. In the vicinity of the location of each of these mills timber is abundant for all present purposes. Sawmilling, however, is an industry that will never assume large proportions in Lincoln County.

Educational interests.

In this particular we are wanting. There are 35 school districts in the county. In the two principal districts, Lincoln and White Oaks, schools are maintained nine months in the year, while in some of the others the school term is only about three months. It seems to me that a better plan would be to have fewer school districts, which would allow an increased fund and longer terms. During the past session there were only 2 schools in the county where the Spanish language was taught. In all the remainder the English language alone was taught.

Public buildings.

There are no public buildings in the county, unless the court-house and the various schoolhouses would come under that head. There is no United States building in the county.

Labor supply.

Our labor supply is ample for all present needs, although the supply is not in excess of the demand. Remunerative wages are paid and there is no suffering for the want of the necessaries of life in Lincoln County.

Legislation.

In this respect there is room for improvement. But a determination has been expressed on the part of our best citizens to give greater heed to county affairs in the future. Lincoln County script, however, is worth its face value.

Undeveloped resources.

I am unable to accurately estimate these, but they are very great. Every foot of our valleys is susceptible of irrigation. Our hills are full of mineral riches—gold and silver in paying quantities. Coal fields that will rival those of Pennsylvania and West Virginia have been located in Lincoln County. With the advent of railroads coal mining will become a very important industry.

Mining industries.

Gold mining is conducted at but two points in the county. At White Oaks there is a twenty-four stamp mill in full operation, and at Nogal a ten-stamp mill is being operated. It is believed, however, that this industry is as yet in its infancy. Copper abounds in paying quantities, and it is only a question of time until copper mining will become an important feature.

General remarks.

Lincoln is the county seat and the commercial center of the county.

There were 1,285 votes cast in this county at the last election. The Democratic party is in the ascendency, although in county affairs party lines are not drawn tightly and in my judgment will be less tightly drawn in the future.

At White Oaks, the largest town in the county, there are 3 churches, Methodist, Baptist, and Presbyterian; Lincoln, 1, Catholic; San Patricio, 1, Catholic; Picacho, 1, Catholic.

Our native Spanish-speaking people are not inferior as a rule to the American population in all that goes to make the law-abiding citizen.

There is but little if any rowdyism in Lincoln County. Our people respect the law and obey its mandates.

In truth there is not a county in New Mexico freer from internal disturbances than is Lincoln.

Cattle and sheep have greatly advanced in value, grass was never finer than now and crops have never given fairer returns. The result is that our people are prosperous and happy, content with their lot, and realizing that the sun never shone on a fairer section of country than ours.

Trusting that I have covered the points on which information was desired and that I rightly understood the import of your letter, I remain,

Very respectfully, your friend JAS. J. DOLAN.

Hon. W. T. THORNTON,
Governor of New Mexico, Santa Fe, N. Mex.

SOCORRO COUNTY.

Below is the report of the Hon. W. S. George:

AUGUST 22, 1895.

DEAR SIR: Replying to your request for a report of the mining and stock interest of the southwest section of Socorro County, I beg to give you a fair annual estimate of the resources as come under my observation.

I would first speak of the cattle or stock interests to state it is an almost impossibility to get from the owners the aggregate number of stock upon the ranges; large shipments of cattle and horses have been made the past year or two. With loss from death by starvation we have greatly reduced numbers, a condition possibly throughout the Territory. The present and future prospects are bright and more encouraging. Considering the conditions of the markets and the promising condition of our ranges for feed, stock of all kinds are looking well, with feed and water abundant throughout for the stock now held by the owners.

The mining interests of Cooney and Wilcox mining districts have never before been in a more prosperous condition. Individual owners of mining properties have the past year been stimulated by the success of several mining companies; have developed their claims in a manner to show a good supply of ore in their properties, and have produced many good mining propositions for capital investment.

The ores of our mining districts carry in value about one-third in gold.

Mines of our immediate neighborhood have produced much high-grade free-milling ore, with large bodies of low-grade ore remaining for milling propositions, of that character ranging in value from $15 to $20 per ton, at present market rates for silver, low price of silver being the great obstacle in the way of working and shipping ore to points for reduction, together with the cost of transportation to the nearest railroad.

With our milling companies, the cost of hauling supplies from railroad to the camp at a cost of 1 to 1¼ cents per pound is a burden to the cost of treatment. Chemicals, salt, lime, bluestone, etc., as estimated at 35 cents per ton of ore treated, and also a fixed and continuing charge upon mill supplies, shoes, and dies, and other renewals, in the aggregate will amount annually to a fair dividend upon the average investment requisite to the purchase and operation of an ordinary mine and mill. The value of railroad communication into this section of country is inestimable.

The ores of these districts now in sight can be profitably treated under favorable conditions of transportation. The limit of the free-milling ore is apparent in many localities, as it evidently does not descend over 300 feet, more or less, from its apex as to locations above creek beds. Deeper mining indications are a change to a base ore, developing immense bodies of ore for concentration and smelting, which may last indefinitely and prove a permanent source of wealth and prosperity to this section of country. The necessity for cheap transportation also applies to this product.

The annual output of ore mined for treatment by four milling companies is as follows: Ore extracted, total by said companies, 49,600 tons; bullion value, $444,800; concentrates, 600 to 800 tons. Men employed directly, 240, and as many more indirectly. Ore mined by individual owners and lessees for shipment estimates 3,000 tons, with about 150 men engaged. Agricultural products make a very good showing for the farm element located in the San Francisco River Valley, and along mountain streams, etc.

In the neighborhood of Alma, N. Mex., there was produced some 635 tons of hay, 150 tons of corn, and 92 tons of potatoes, together with other cereals, fruits, garden products, etc., all of which is consumed in this section. A much larger production can be made with cheap transportation to enable the farmer to reach other markets. In the upper valley, where the farming element is composed chiefly of native people known as "Frisco plaga," is raised some 225 tons of hay, 75 tons of corn, 50 tons of potatoes, and wheat 25,000 pounds; at Luna Valley, 600 tons of hay, 200 tons of corn, 85 tons of potatoes, 30,000 pounds of wheat, etc. In the mountain sections, at the head waters of the Gila River, potatoes are a very large product, and are shipped into two adjoining counties. Nearly 100,000 tons of potatoes, also home supply of hay, wheat, oats, fodder, etc., making a total of hay 1,460 tons, corn 425 tons, wheat 55,000 pounds, and potatoes 227 tons were raised.

I would add that I believe the great mass of the people of this county are patriotic, intelligent, and tolerant, and probably represent fairly the general sentiment of the Territory; but it is indisputable that impressions are entertained in the East, whence help must come to make our needed improvements, run our railroads, etc., that conditions do not invite large investments of the character indicated. When admitted as a State the character of our legislation will undoubtedly inspire confidence. The controlling influence is the immense circulation of newspapers from Eastern points, and those that discuss public questions, frankly presenting both sides, recognize that their readers desire facts and are competent to form their own opinions. In this region the functions of newspapers seem to be to suppress all news that conflicts with their respective theories, and assail all who differ with abuse. These crude and primitive methods will, with the march of progress, become obsolete, and a generous and kindly spirit prevail with good results in every direction for the Territory.

Very respectfully, your most obedient servant,

W. S. GEORGE.

Hon. W. T. THORNTON,
Governor of New Mexico, Sante Fe, N. Mex.

REPORT OF MR. A. B. FITCH.

KELLY, N. MEX., *September 23, 1895.*

DEAR SIR: Your inquiry as to progress made in the Magdalena and Kelly camps duly received.

About 2 miles east from Magdalena, in the foothills, are some very encouraging gold prospects that have been worked only in a desultory manner during the past year for want of proper mill facilities. Recently the Emma Mining and Milling Company have erected and put in operation a very complete 5-stamp mill that should handle these and similar gold and silver ores to advantage, and a revival of work on those prospects, of which there are a number in this vicinity, is sure to follow.

In the Kelly camp the main product is the carbonate and other oxidized ores of lead, of which some 7,500 tons, running from 30 per cent to 50 per cent metallic lead, were shipped during the past year. These ores run low in silver, and on account of the low prices prevailing and the long distance to smelters only the richer ores could be shipped, which curtailed the output considerably. The Graphic Mines, for instance, shipped 6,000 tons during the past year, and broke and piled on their dumps over 25,000 tons that will average 10 to 12 er cent lead, and 2 ounces silver. There is now on their dumps over 50,000 tons of these low grades, and more than double that amount developed in the mine.

To save these low-grade ores and make them profitable for shipment this company is now sinking a shaft for water in the valley 2 miles south of Magdalena, with good prospect of success. Having obtained the water, they will build a 100-ton concentrating plant on the Kelly switch. About half a mile farther south Balue & Co. are building a 25-ton plant to concentrate the ores of the Merry and other mines. If these mills are successful the Kelly mine, formerly a great producer, will put in a mill to concentrate the large quantities of low-grade ores they have on their dumps and in the mine.

"Adversity has its uses." The low prices of both lead and silver and the long haul and consequently high freight to the nearest market have forced these mines to adopt more economy in mining and to undertake the problem of saving and concentrating their low grades, which form far the greater portion of the bulk of the ore. With this accomplished mining will be stimulated here beyond what it has ever been before; the old mines will be good properties for a great many years to come, and small prospects will be worked and developed into good mines.

Very truly, yours,

A. B. FITCH.

Hon. W. T. THORNTON,
Governor of New Mexico, Santa Fe, N. Mex.

VALENCIA COUNTY.

BLUEWATER STATION, N. MEX., *August 16, 1895.*

MY DEAR SIR: I am just in receipt of your favor of 7th instant. Absence from here for several days accounts for the delay.

You ask for certain facts concerning the Bluewater Land and Irrigation Company's enterprise here, and it will give me great pleasure to give you a general outline of the work we have done within a year and a synopsis of the results now within our grasp, thus proving the work of reclaiming our arid lands to be practical and profitable. The Bluewater Valley was nine months ago an arid, dry, sandy, and wind-

swept waste. To-day more than 2,000 acres are laden with the richest of agricultural products.

On the 24th of August, 1894, we placed our first scraperful of earth upon our proposed dam, since which time we have constructed a dam 150 feet base, 260 feet long, and 42 feet high. Material, earth center, riprapped with rubble stone from the mountain. Capacity, 6,000 acre-feet of water. Wasteway cut through the solid rock mountain at south end of dam 170 feet long, 100 feet mouth, 30 feet throat, 20 feet width, with perpendicular fall of 6 feet at throat, and 4 feet fall from there to lower end, the current in no place approaching the dam, but away from it. We have constructed 31 miles of canals and laterals—20 feet wide, 1 foot deep; 12 feet wide, 2 feet deep, and 8 feet wide, 3 feet deep; much of the work being done around rocky points and stony hillsides. Have built 21 miles 4-barbed-wire fence, with cedar posts 12 feet apart. Have cleared and plowed 2,600 acres sage-brush land, and have planted 2,000 acres, as follows: Oats, 780 acres; barley, 420; wheat, 320; corn, 100; alfalfa, 100; timothy, 40; potatoes, 30; sorghum, 30; Mexican beans, 14; pumpkins and squash, 30; onions, 10; carrots, 10; sugar and mangel beets, 20; melons, cabbage, and garden vegetables, 10; orchard, 15, etc.

We have erected warehouse, store buildings, mess house, stables, machinery sheds, etc.; flumes, bridges, culverts, innumerable. We have magnificent stands of grain in all our fields. Sugar and mangel beets have proved a great success. Carrots, cabbage, onions, and most garden vegetables could not do better. Corn, potatoes, sorghum, pumpkins, squash, and melons show well, but are yet an unknown quantity, but we fear our season will be too short to mature them. We are preparing to place feeders for beeves and hogs on our fields after harvest, and will use our root crops and fodder in preparing them for market.

Another season it is our intention to increase our fields from 1,000 to 2,000 acres. We have a good market—local—and can not overstock it. Railroad transportation sets a good figure for our produce.

Our soil is a rich, sandy, sedimentary, loam; no alkali, and does not cake, bake, or pack.

It has been my pleasure within the past few days to give to Hon. L. Bradford Prince, of your city, about the substance I have given you in this letter. It was at my suggestion that probably a synopsis of our work would be of service to him in preparing his address before the irrigation congress on "Irrigation in New Mexico."

The South-West Magazine for August—have prepared a "write up" for that number. I would respectfully refer you to it for further facts, and if I can serve you further, will you please command.

Yours, respectfully,

J. S. VAN DOREN.

Hon. W. T. THORNTON,
Governor, Santa Fe, N. Mex.

SIERRA COUNTY.

Report of Hon. M. M. Salazar.

Among the mining districts of the Territory of New Mexico the Hillsboro gold mines, near Hillsboro, in Sierra County, claim especial attention from their past and present yield of gold, and by reason of those features of recent discovery and development which promise enlarged operation and production.

The annual output of gold, silver, and copper obtained from quartz veins and from placers has been about $350,000 for the past few years, or since the mines have begun to be worked at all scientifically and systematically. Of this yield but a small proportion has been taken from the placers, yet the greatest promise of the district lies in these extensive gold fields, and their output was very considerable for some time after their discovery in 1877. The process of working then was to haul the gravel some four or five miles to the Percha River, but only the rich gulches and pockets would justify such expense, and now the water must be brought to the ore. Very recently California experts, after an exhaustive examination of these placers, have recommended to their principals an investment of $600,000 in reservoir and hydraulic works with confident promise of large profits. The ground is easily shown to contain gold in paying quantities.

There are no vexatious laws to hinder placer mining in this Territory, and in any event these placers do not converge upon any agricultural lands. With certain payment in gold of all revenues and profits it is not likely that these fields will much longer be unworked for want of the capital necessary to raise the water from the stream beds.

The placers proper of the Hillsboro district are comprised in an area of 4 by 6 miles. Of much greater extent is a deposit of auriferous conglomerate known as *the Cement Mines*. This conglomerate stratum, with its croppings of from 100

to 1,500 feet in width, is distinctly traceable from north to south through Sierra County. With the subjacent limestone it dips to the east, underlying the placer proper, which are in all probability made from its partial denudation and disintegration. Some small fortunes have been made by discovery of and following rich streaks in the conglomerate, but to make available the immense treasures of this deposit larger operations are needed. As in the similar conglomerate reef of South Africa the ore must be mined and reduced on a large scale to be profitably handled. The average value of the material and the cost of bringing sufficient water to its reduction are matters easily to be ascertained, and with the accelerating pursuit of gold we may expect to soon see these fields assume a national importance.

The quartz veins of the Hillsboro district are of the kind known as dike fissures. Igneous dikes course through the surrounding trachyte formation in a general northeast and southwest direction. The ore is found generally on the eastern side, and is composed of quartz with pyrites of iron and copper carrying gold and silver. About 4 ounces of silver to 1 ounce of gold is the usual proportion in which the precious metals are found, and from 1 to 10 the usual percentage of copper. At the surface, and to a considerable depth in some of the mines, the ore is thoroughly oxidized, so much so as to constitute a free-milling ore; and where it exists in sulphide form it is a good smelting variety, free from zinc, and commanding favorable rates and low charges.

About two hundred claims have been located in this district. Of these only five have been worked to a depth exceeding 200 feet. Three have shafts of between 350 and 500 feet. Of these five mines two have shown an increased value of ore as depth has been gained. Until recently only those mines which showed pay ore at the surface were worked, but now a veritable bonanza has suddenly developed in the Wicks mine, one of those big surface low-grade propositions which are numerous in the district and which have been hitherto ignored. The ore of this mine down to a depth of 120 feet gave an average value of only $8 per ton. It then commenced to produce ore carrying from 3 to 5 ounces gold per ton, and on the 200-foot level, the lowest point yet reached, the value has enlarged to 8 and 10 ounces gold per ton. A very noticeable increase in quantity accompanied the improvement in value. The success of this venture, the yield of which for 1895 will be greater than the entire output of the camp for 1894, has encouraged and stimulated mining operations in the vicinity and has attracted the attention of mining men from all over the country. We may now expect that this district will receive such accessions of capital and energy as will speedily bring it to the front rank of the gold-producing centers of the Rocky Mountain regions. Other mines are doing well, and the foregoing is instanced only because of its phenomenal development.

The history of mining demonstrates that every district has its peculiar features, and until these are thoroughly comprehended very little profitable work is done. This initial period is past for Hillsboro, and the very mines that were at one time condemned and avoided will in the future be the ones most desired. The geological features of the district warrant investment, as the igneous dike origin of the veins insures continuance to depths beyond which the science of mining can at present attain, and the surrounding trachyte formation is one eminently favorable to rich mineral depositions and accretions. Some important successes have been scored this year by miners working on the leasing system, each pointing the way to the proper and profitable working of the mines.

The period of depression which attended and ensued upon the panic of 1893 has been comfortably weathered by the Hillsboro miners, and though investment has been thus retarded and delayed, the time has been well employed in wholesome development and satisfactory demonstration of the value of the mines. Entering now with the country generally upon a period of advancing activity and speculation, it may be expected that the Hillsboro gold mines will soon begin to materially swell the gold production of the Territory.

The igneous rocks, which constitute the gold quartz mining district of Hillsboro, are surrounded by a limestone, shale, and quartzite formation pierced and broken by irregular porphyritic eruptions. On the contacts of these igneous and stratified rocks rich gold and silver ores have been found, but only recently in place. The quartzite outcrop, which is the distinctive feature of this series, extends to Lake Valley, 20 miles to the south, where very rich deposits of silver ore were found some years ago and some $5,000,000 to $6,000,000 was extracted in an incredibly short time. Extending north also to an equal or greater distance this quartzite dike, as it is generally termed, offers one of the greatest known but undeveloped fields for the prospector and mining speculator. At intervals along its course good mineral croppings have been located which only await intelligent work and necessary capital to make important mines. In this sort of mining the prizes are immense, and though the blanks be many, it is still the mining that appeals most to the native daring of the American miner. That the prospects are not visionary is well shown

at a group of claims on the quartzite within 2 miles of Hillsboro, where, after three years of more or less desultory searching, the owners have succeeded in finding and opening an immense body of iron and quartz ore carrying gold in paying quantity.

Another recent discovery of greatest importance is that the igneous dikes on the north slope of the Hillsboro range are so impregnated with gold as to constitute good low-grade free-milling ore. As these dikes are from 20 to 50 feet wide, the import of the discovery is prodigious. At present one 20-ton mill is kept running on this material and practical proof is being made of the extent of the gold diffusion. So far reduction works have kept pace with the development of the mines, and during the present year two new mills have been built, enlarging the total capacity of the district to about 120 tons per day. The gold bullion produced at these mills, as well as the placer gold, is all shipped to the Sibley Smelting Company, of San Francisco, and other ore and bullion buyers, the concentrates and first-class ore direct from mines, go to the smelters of Pueblo and Denver, Colo., and El Paso, Tex. A copper-matte smelter operated here successfully for about two years, having become involved in the failure of a mining company, is now inactive, but is expected to be in operation again soon. Recent discoveries of unlimited quantities of superior iron and manganese ores carrying gold, in the quartzite belt, assure a plentiful supply of the most needed fluxing material, and will go far to promote a speedy revival of the smelting industry at Hillsboro.

An estimate of the production of the district for the year 1895, based upon present output, would give 22,000 ounces gold, from 85,000 to 90,000 ounces silver, and about 220 tons of copper. It is hoped, however, that rapid increase of operations and output will continue and that an important group of mines now in litigation and idle will very soon begin to materially increase the grand result.

REPORT FROM COLFAX COUNTY.

MOST EXCELLENT SIR: In compliance with your request, I have the honor to submit herewith a few reasons why immigration should be encouraged to locate in Colfax County.

First. Colfax County is located in the northern part of the Territory of New Mexico and bounded on the north by the State of Colorado, on the west by the county of Taos, on the south by the county of Mora, and on the east by the county of Union, and is about 53 miles north and south and east and west.

The central and western portions of the county are traversed by the following never-failing streams, viz, the Red River, Chicorica, Uña de Gato, Vermejo, Poñil, Cimarron, and Rayado; and the southern and eastern portions are traversed by the Rito Plain, Sweetwater, Ocate, and the Coyote in the Black Lake country.

Agriculture.—The land is fertile in the western and central parts of the county, and cereals of various kinds are produced and raised in paying and remunerative quantities.

Among the best-paying cereals are corn, wheat, barley, oats, beans, alfalfa, and potatoes.

The fruit crop is numerous, and consists of various kinds of apples, nectarines, peaches, plums, cherries, and other minor varieties, and the farmer finds ready markets for most of his produce at Cimarron, Springer, Maxwell City, Catskill, and Raton, all towns of more or less traffic and importance.

To procure the above results in farming large sums of money have been expended in the construction of irrigating canals by individuals as well as by corporations. The construction of the Vermejo and Springer ditches and reservoirs by the Maxwell Land Grant Company have opened new homes for hundreds of good Eastern farmers, who have located among us and are doing exceedingly well.

The construction of the new ditches and reservoirs by the Springer Bros. and by the Valdez Bros. have secured them a never-failing resource in the way of farming and stock raising.

Stock raising.—The lands in the south and east portion of the county and the mountainous country are well adapted for stock raising, and here the stockman finds a place where he can grow with the country in the well-known industry of cattle and sheep raising. The eastern and southern part of the county is all public domain, subject to homestead entry by qualified homesteaders, only costing each settler the entry fee of $16 and the final-proof fee of about $7.50 after the expiration of his five years of occupancy, and should he desire to commute the same he can do so at the expiration of one year by paying $1.25 per acre to the Government.

The cattle and sheep industry has been tried and thoroughly tested by good, sound managers, and even in hard times it brought them nice returns.

Commerce.—The town of Raton is the center of commerce in the county and the supply point to other towns in the county. Springer, the county seat, ranks next. Blossburg, Catskill, Cimarron, Baldy, Elizabethtown, and Maxwell City are also good commercial and supply points.

Educational.—The school system has been for the last three years greatly improved by the sound and practical management of John Morrow, esq., school superintendent of Colfax County. The English language is generally taught in all schools in the county.

The principal educational points are Raton, with a force of teachers numbering 7, and owning the Marcy & McCuistion Institute, a building that cost $20,000; Blossburg, with a force of teachers, 3 in number, and owning a school building that cost the citizens about $3,000; Springer, with a force of teachers, 3 in number, and owning a fine building costing the citizens of the district $10,000; and Maxwell City, with 1 good teacher and a building that cost its citizens $2,500, and in fact all other towns like Catskill, Cimarron, Elizabethtown, Rayads, Baldy, etc., owning their respective school buildings and carrying on school for at least six months in the year.

Mining.—The mining industry is well developed in this county, the coal mines at Blossburg furnishing labor for several hundred men. The gold placer claims of the Lynch Bros., at Elizabethtown, and the Aztec mine, one of the best gold producers in the country, at Baldy, also furnish work to quite a number of miners.

The mines are located within the limits of the Maxwell land grant, and all prospectors desiring to locate would do well by applying to the general manager for terms and regulations. Their principal office is Raton, N. Mex.

Second. The rate of taxation is 2 per cent for all purposes. The county indebtedness is very small, and its revenues and wealth are among the highest in the Territory.

Third. The investor will find in Colfax County all the conveniences, viz, railroad traffic, telegraph and telephone connections with the Eastern States, good schools, splendid society, good climate, pure water, plenty of fresh air, and innumerable opportunities to speculate in farming, stock raising, merchandising, mining, and cheap markets to buy his provisions and everything needed in a household.

Trusting that this brief sketch will meet with your approval, I remain, sincerely,

MANUEL M. SALAZA,
Member Board of Improvements, Colfax County, N. Mex.

Hon. WILLIAM. T. THORNTON,
Governor of New Mexico.

REPORT FROM SAN JUAN COUNTY.

San Juan County is watered by the Pine River, which enters the county about 10 miles west of the northeast corner and empties into the San Juan River about 15 miles below in a southerly direction.

The arable land consists of first and second bottoms, the area of which is about 1,500 acres.

The San Juan River enters the county near the northeastern corner and runs in a southeasterly direction for about 25 miles, thence changing to a westerly course through the county a distance of about 45 miles, the average flow of which is about 3,500 cubic feet per second and the average fall about 11 feet per mile.

The entire area of arable land susceptible of irrigation along this river is estimated at 55,000 acres, about one-fifth of which is now under ditch and less than one-tenth in cultivation. That portion now under ditch is first and second bottom land, irrigated by small community ditches. The lands lying in this valley above these ditches consist of large sloping plateaus of a deep alluvial soil, which eventually will be rendered productive by irrigation.

The Animas River traverses from the north in range 10 west in a southwesterly direction for a distance of about 40 miles, the average flow of which is about 20,000 cubic feet per second and the average fall about 13 feet per mile, and the approximate area of arable land susceptible of irrigation is 40,000 acres, of which about 18,000 acres is under ditch and less than 8,000 acres in cultivation.

The La Plata River enters the county at its northern boundary and runs in a southerly course for a distance of about 20 miles, where it empties into the San Juan River; the arable land in this valley is almost 20,000 acres, about one-half being under ditch and about one-third in cultivation. This is a rich, fertile valley, but the scarcity of water in the months of May, June, July, and August, during the irrigating season, is a serious drawback to agriculture and horticulture, and in the lower portion of the valley these industries are almost entirely suspended for want of sufficient water. With a system of reservoirs for the storage of the surplus waters which flow through the valley during the spring months this valley would be rendered one of the richest in the Territory.

The mesas comprise about two-thirds of the area of arable lands of the county. They are at present practically worthless for agricultural purposes because of the expense of constructing long ditches, an enterprise in which eventually capital will find a permanent and profitable investment.

The coal lands of the county lie principally in townships 29, 30, 31, and 32 north, ranges 13, 14, 15, and 16 west, and the general course of the belt is northeast and southwest, comprising an approximate area of about 75,000 acres; the most extensive bodies lie in townships 31 and 32 north and ranges 14, 15, and 16 west, which is included in the Ute Reservation. The land in those townships is worthless except for the coal, being almost totally devoid of grass or water, and will never be of any practical use to the Indian. The coal is of a superior quality for fuel, as it is clean, hard, and not easily slacked by exposure.

All the land now in cultivation is irrigated from small community ditches, the combined lengths of which would aggregate over 1,000 miles. The Grand Canal ditch on the north side of the Animas, begun by a community of our farmers four years ago and abandoned for want of capital, will be resumed and completed this fall and winter by an incorporated company. This ditch will take water from the Animas River near the town of Aztec, and will cover most of the mesa country between that place, Farmington, and La Plata, including the lower part of the valley, and will bring under ditch about 7,000 acres of land.

The principal production of the county is fruit and alfalfa. Of the latter, three crops are cut during the summer season, yielding an average of 7 tons of hay per acre.

The following is an estimate of the productions for the year 1895:

Wheat	bushels	7,000
Corn	do	30,500
Oats	do	18,000
Barley	do	12,000
Potatoes	do	40,000
Onions	do	20,000
Beans	do	15,000
Apples	pounds	1,500,000
Pears	do	15,000
Peaches	do	8,000
Plums	do	60,000
Cherries	do	7,000
Grapes	do	250,000
Berries	do	7,000
Hay, alfalfa	tons	350,000

The live-stock interest of the county has materially changed from that of five years ago in having cattle of a better grade, which are kept and fed upon the ranches.

In horses the range broncho is almost entirely supplanted by the American, while in sheep the farmers are keeping small flocks of a larger and better grade.

Generally, the county is improving. Inferior buildings are being replaced by good and substantial structures and this county filling up with a class of industrious and intelligent people.

Statistics.—Coal-land entries recorded in the county, 80 acres. Thirty-one placer mining claims recorded, 4,300 acres. Twenty-four irrigating ditches recorded, which are 115 miles in length, with a total running capacity of 103,560 cubic inches per second of time. Nine irrigating ditches recorded, total length 33 miles, with a total running capacity of 170 cubic feet per second of time. About 40 miles of irrigating ditches not recorded, covering several hundred acres of land. Eight hundred acres of bearing orchards. Three hundred acres of young orchards not bearing. Present estimate of fruit this year, about 2,000,000 pounds. Present estimate of hay, 12,000 tons.

MILITIA.

The adjutant-general's office has not been in better shape for many years than it is at the present time, under the efficient management of Col. George W. Knaebel, my adjutant-general and chief of staff.

The present active and effective militia consists of five companies of infantry and three troops of cavalry. One of the latter, consisting of the La Guna Indians, officered by Americans, has made an enviable record in several campaigns against the renegade Indians headed by Victorio and Geronimo in late years. The membership of other companies consists largely of frontiersmen, who can be relied upon in any emergency to aid the Regular Army, should such services be required.

The valuable records of this office show service extending back to the Indian troubles in 1847, which are now properly recorded and filed in a

fireproof safe and are constantly referred to both by officers and the General Government at Washington and by veterans or their heirs to perfect their records.

It is to be regretted that, these companies having ever evinced a willingness to serve the Territory whenever their services are required, the Territory has never shown a proper appreciation thereof and has failed to make any appropriation for the support and maintenance of the militia.

Four companies were on the field continuously for nearly four months during the campaigns against Victorio and Geronimo, furnishing their own horses and fed by the citizens, and also have been in service in several other campaigns in recent years, but have never received pay for their services.

CLIMATIC.

There is no portion of the Union possessing such splendid climatic conditions as exist in this Territory. Here we have a dry, arid temperature, with no extremes of heat or cold, with clear, bright skies and an almost continuous sunshine, that has given New Mexico the well-known sobriquet of "the Sunshine State."

The climate is peculiarly adapted to the cure of pulmonary diseases. A celebrated physician who has given much study to the subject, and who recently made a tour of Europe and America in the interest of this class of the afflicted, investigating the climatic conditions of the various countries with reference thereto, recently stated that the conditions existing in New Mexico were superior to those found elsewhere; that it was an ideal climate for the cure of pulmonary diseases. This is conceded by the best informed medical experts.

It is probable that at this time there is no disease that afflicts so large a class of humanity with such fatal results as that of pulmonary consumption; none that causes so much suffering, pain, and sorrow. It is a scourge affecting every class, the rich and the poor, the high and the low—all fall beneath its blight and succumb to its dreadful ravages.

Medicinal science has never been able to master it or to discover medical appliances or remedies that will cure it when once it has a firm hold upon its victim. The greatest minds of the profession have devoted their lives to its study, searching for remedies without avail. All agree that nature's remedy is the best and only cure. Breathing of a pure, invigorating, rarefied atmosphere in an equable climate, with clear, bright sunshine, where the heat of the sun is at its maximum and that of the air at its minimum, are the best conditions for its cure.

All of these conditions are found at their best in New Mexico. In every community may be encountered those who have taken advantage of these life giving qualities. In a large majority of cases where the invalid has come in the early stages of the disease he has found relief and either been entirely cured or had many years added to his life.

In view of the dreadful ravages upon humanity by this scourge that is daily adding hundreds to its victims, and that there is found here a remedy such as is found in no other portion of the world, and in view of the further fact that the existence of this remedy is almost entirely unknown to the general public, great ignorance upon the subject existing even among the members of the medical fraternity, I have felt that in the interest of humanity some steps should be taken to bring to the knowledge of the afflicted when and how they can obtain relief. With this end in view, I have called to my assistance Dr. Francis Crosson, a learned physician, resident of this Territory, and have requested him

to collect and compile the information upon this subject, giving the results of his experience here and the opinion of many of the learned men of his profession, with a concise statement of the conditions here existing and their effect upon the disease. I have also obtained from him a description of the many thermal springs in the different portions of the Territory known to possess great medicinal qualities, with an analysis of their waters. The result of his researches I submit below, as showing that among the natural resources of New Mexico none excel in importance her medicinal waters and her excellent climate:

CLIMATE OF NEW MEXICO.

There is, perhaps, no subject in medical literature upon which medical men in general possess less practical information than upon the subject of climate.

This statement, which is based upon an observation of more than seven years, is not made either in a spirit of criticism nor is it in any manner intended as a reflection upon a class of scientific men so honest, so conscientious, and so intelligent as the great body of medical practitioners in our country. For the most part physicians in the East have been obliged to rely for their information on this subject almost entirely upon such representations as are commonly made in the multitudinous mass of "write ups" issued by railroad companies, land colonization enterprises, and persons in general who have "something to sell" in the shape of an "Eden" of one kind or another.

The American Climatological Association has done much to correct this evil, and it is to-day doing conscientious work that will in a short time prove of great practical and permanent value to every practitioner of medicine in the civilized world. The "chaff" is gradually being winnowed from the pure grains of truth, and the unfortunate sufferer from disease, who is compelled to leave home, friends, and all that is most valued in life, and seek change of residence in a climate favorable to the perpetuation of health and life, will be the chief beneficiary.

My residence in New Mexico extends over a period of nearly two years, during which time I have had a most favorable opportunity of observing all that is most valuable upon the subject of the climatic conditions of this region. I am convinced that within the geographical boundaries of this vast Territory climatic conditions exist superior in many respects to any other equal area on this continent. The climatic characteristics of the Territory of New Mexico embrace in an almost ideal condition those most sought and valued in the treatment of diseases of the lungs and respiratory system. These comprise altitude, a maximum of sunshine, a minimum of cloud, absence of moisture in the air, and atmosphere of light pressure supercharged with oxygen, ozone, and electricity, highly rarefied, and the absence of extremes of heat and cold, together with a dry, porous soil.

An absolutely ideal climate is not found anywhere, and it is a waste of time to seek for conditions which exist nowhere but in the minds of visionary writers. What is claimed for this region is that it contains in a remarkable degree the most desirable conditions furnished anywhere by nature's laboratory for the treatment of certain diseases.

In writing of climate and climatic conditions it is impossible to avoid allusion to a disease that has baffled our best scientific minds for centuries and which remains with us to-day, as it accompanied the Jewish people in their wanderings through the desert, a scourge to the human race, a mighty destroyer of human life, a "Banquo's ghost" that will not down. I mean consumption of the lungs, or pulmonary tuberculosis, as it is called in medical language.

The principle involved in the selection of a suitable climate for the treatment of persons afflicted with diseases of the lungs is one of chemistry rather than physiology, and in order that this fact may be made clear for the purpose of what follows it may be well to discard a few antiquated and stubborn fallacies that have been too long insisted upon and clung to with unreasonable tenacity. There are medical men to-day—some of them teachers at that—who claim that there is not, nor can there be, anything in any climate that can be regarded scientifically as having a direct curative action upon any disease. So eminent an authority as the late Austin Flint held this view and taught it for years. As we proceed we will see whether or not this declaration can be substantiated in the light of practical demonstration and observation. I will show that upon one question at least the leading writers and teachers of medical science to-day over the entire world are agreed, and that is, that climate holds the first place in the treatment of consumption, and that any system of medical treatment ignoring the importance of this great factor is *unworthy* of the slightest consideration by physicians.

Only a few years ago patients afflicted with consumption were rushed to southern France and Italy because the climate in these places was soft and balmy. In our own country it was Florida and the Pacific Coast towns in southern California. Only the temperature of these localities was considered, moisture and its congener, malaria, were seldom or never taken into account. Patients succumbed promptly to their disease, and it was a long time before the physicians living amidst these conditions awoke to a realization of the causes responsible for so many fatalities. To-day the sea-coast towns are almost abandoned by consumptives, and physicians inhabiting the very towns formerly advocated as health resorts for this class of invalids are, as will be shown, sounding trumpets of warning and telling the afflicted to avoid these places as they would charnel houses.

Dr. Dukeman, of Los Angeles, Cal., in an article in the New York Medical Journal, October 6, 1894, says:

"After a lengthened residence in Los Angeles, I am convinced that the climate is not the best for the purposes for which many seek it. I regard the promiscuous manner in which the physicians of the East send patients there as a sad mistake. There are but few selected localities here (in California) where the consumptive may expect to derive benefit, and then only when he goes in the early stage of the disease. Los Angeles City to-day is not a sanitarium in any sense of the word; it has become a dumping place for consumptives, and physicians and everyone else can be made aware of this fact none too soon."

A writer in the New England Gazette says:

"The change to the Southwest has given the best results in the largest number of cases in lung disease. The Pacific Coast and Florida have been disappointing; there is too much moisture, and the eyes of all have been turned to the Southwest."

It is held and taught by the ablest medical authorities over the entire world to-day that consumption is a curable disease. I do not mean by this that all consumptives get well, even under the most favorable conditions. The term "consumption" is often synonymous with death; this, however, is not the case. Perhaps 90 per cent of all cases of beginning consumption, if the diagnosis be made sufficiently early, and the patient placed in proper climatic and hygienic surroundings, have a good chance of absolute recovery. The fact of the curability of this disease, a fact well known to all experienced physicians, leads us next to the consideration of the best means we have to obtain the result. The question of climate as a factor in the treatment of consumption of the lungs is receiving vastly more attention and study to-day than any plan of medical treatment applied to this disease. Without entering upon a description of the pathological changes which occur in the system before this dread disease is established, a glance at chemistry will enable us at once to perceive and appreciate the advantages which a properly selected climate presents to the sufferer, and demonstrate in a large percentage of cases the superiority of nature's method of restoring deranged functions to the standard of normal health.

Dr. H. Von Ziemssen, of Munich, one of the greatest European authorities on tuberculosis, speaking of the failure of all medical measures thus far proposed for the cure of consumption, says:

"Dr. Fraentzel, one of the most deserving and indefatigable investigators in this department of medicine, candidly admits that the result of all the experiments thus far made at the bedside and in the bacteriological laboratories is to show our inability to destroy the germ of this disease domiciled in the pulmonary tissues by medicines, whether administered in gaseous forms or by atomization."

The same author, in speaking of the treatment of consumption, says:

"The remedies which medical experience shows to have produced the best results in the beginning of pulmonary tuberculosis (consumption) are still the physical ones—air, climate, exercise, and water. The fresh-air treatment occupies the first place; diet occupies only a secondary place. Mountain health resorts, which are accessible to persons of means, are perhaps the best in which to pursue the fresh-air treatment. Such resorts for persons with consumption are numerous and excellent. Their success depends not so much, if at all, on elevation of site as on the purity of air, constant sunshine, and the exercise of the lungs. High temperature and a stationary condition of the air favor the germs, and hence good ventilation and low temperature must be beneficial to the patient. I will not decide whether other causes may not also contribute to the effect, as, for example, the improvement in the pulmonary circulation produced by the deep inspiration and the freer expectoration of infectious matter resulting from the increased action of the lungs. Hence warm climates are, in my opinion, less beneficial than cool ones, provided, however, that the atmospheric conditions, such as stillness of the wind, sunshine, etc., are favorable, and that the patient can be constantly in the open air.

"In the selection of a health resort some authors attach great importance to the moisture of the atmosphere; but as far as actual experience goes, we must say that a dry climate, with little rain and fog, is generally more suitable for tuberculos persons than a moist one."

M. Laennec, the most distinguished authority of France, says:

"The cure of consumption, when the lungs are not completely disorganized, ought not to be looked upon as at all impossible in reference either to the nature of the disease or the organs affected. The destruction of a part of the substance of the lungs is by no means necessarily mortal."

Dr. Williams, senior physician to the hospital for consumption, London, observes:

"Destructive as consumption is, both by its tendency and the manner in which it affects the system, it is now well ascertained that it admits of a cure. This may take place at any stage, but the mode of cure which has been most completely traced is by the expectoration of the tubercular matter and the lining of the cavity with a false membrane."

The same author, in an exhaustive paper on consumption read before the Midland Medical Society of Great Britain November 1, 1894, speaking of the treatment of diseases of the lungs in general, says:

"The most important factor in the treatment, however, is pure air, and on its thorough application to the system of the patient, most success depends. Sunshine and pure air are the best bacillicides."

Sir James Clark, late physician to the royal family of England, in his able work on consumption, declares that "the important fact of the curability of consumption has, in our opinion, been satisfactorily established." Again, he says, "the total inefficacy of all means hitherto adopted for diminishing the frequency or reducing the mortality of this class of diseases is sufficient incitement to us to seek for some other means of remedying the evil."

Dr. Edward Smith, of the Brompton Consumption Hospital, England, says:

"The word 'consumption' almost universally suggests an incurable condition which proceeds surely to a fatal termination. It will be seen, however, that while this is true, the conclusion may be unsound, for it only proves that consumption is not generally cured, and not that it is incurable. I feel assured that there are good grounds for believing that consumption is commonly curable."

Prof. Hughes Bennett, of the University of Edinburgh, declares:

"The fatality of consumption is in a great measure owing to the fact that it is generally permitted to reach an advanced stage before it is detected, owing to carelessness in medical examination. I believe thousands of persons have perished by consumption in this way who might have been saved had a correct diagnosis been made. Consumption in its early stage is a very curable disease."

Altitude forces the lungs to work, thus affording them excellent gymnastics. The rare ozonated air of this region permeates the interstices of the lungs to their fullest ramifications, preventing, as has been conclusively shown by Dr. Roland G. Curtain, of Philadelphia, pulmonary hemorrhage and revivifying every tissue of the body by supplying them with an abundance of oxygen. There is no health resort in Europe, not excepting the much-lauded Riviera, that can show such a stable and equable range of heat and cold as can be found at the meteorological station at Santa Fe, N. Mex.

Changes in temperature throughout the Territory are never sudden, hence the invalid and health seeker, by a little attention to his clothing, can exercise daily in the open air and have no fear of colds and inflammations of the air passages so trying upon sufferers resident upon the Atlantic and Pacific coasts. An altitude of at least 5,000 feet is the best for most persons in the incipient stage of consumption, and a patient recovering from this disease should be made to understand that where he regains health should be his permanent residence. Walking affords the most natural form of physical exercise, and if regularly pursued in a favorable climate will obviate the imaginary necessity in the shape of the multitudinous paraphernalia with which so many invalids hamper themselves.

"The climatic cure," as it has been called, holds out, in my judgment, more encouragement and hope to the afflicted than all other methods of treatment combined. This is stating the case strongly, but truth is truth and it must stand. After extensive travels in all parts of the United States, including Florida, Texas, North Carolina, Colorado, Arizona, California, and Mexico, a trip through New Mexico settled my mind upon the subject of climate.

Since coming to this Territory I have been frequently confronted with what might be called "star cures," many of them patients brought here in an ostensibly hopeless condition. I have taken pains to personally investigate the statements of many of these persons, and I can unhesitatingly vouch for their accuracy.

On the beneficial action of a properly selected climate in the treatment of consumption the following physicians have thus expressed themselves:

Flint, an eminent authority on this subject, says:

"I am well satisfied that here is the foundation for the successful management of pulmonary tuberculosis. I would rank exercise and outdoor life far above any known remedies for the cure of this disease."

Prof. Joseph B. Ross, in a paper read before the Chicago Medical Society, stated:

"A study of the Gulf Coast and Florida leads to the conclusion that the climate is a failure for the treatment of consumption; patients go there and the air is balmy, and they say, 'What a beautiful air.' They do not cough so much, but they sit around, for there is nothing to cause them to take active exercise. There is something lacking in the air; it does not brace one up. The atmosphere is warm and moist and very depressing, while malaria abounds."

The late Dr. A. L. Loomis stated that—

"It was invariably recognized that a moist atmosphere favored consumption, and a moist atmosphere was one laden with germs. Cases are not uncommon indicating that the germ of consumption disappeared from the expectoration of the consumptive patient in consequence of the change to an atmosphere unfavorable to the germ, and where the condition of the patient improved."

Professor Jaccoud, in his work on the curability and treatment of pulmonary consumption, says:

"Mountainous climates have in reality a double effect; firstly, a general one by which the constitution is restored to a healthy condition; secondly, a local one by which the activity of respiration is increased to a maximum degree, while the lung is protected from the effects of congestion. The climate of such altitude produces a tonic effect, while it has a mechanical influence upon the lungs, due to atmospheric pressure."

Dr. Clinton Wagner, senior surgeon to Metropolitan Throat Hospital, New York, says:

"The effect of the dry rarified air is to increase the appetite, assimilation is improved, the number and depth of the respirations are increased, the chest gains in expansive power, more moisture is exhaled than in a humid atmosphere, the effect of which is in time to check secretion from the diseased tissues. The cheeks fill out, the complexion becomes a ruddy brown, the strength increases, the spirits revive, and the invalid becomes impressed with the idea that he will recover."

Dr. Charles Dennison, ex-president of the American Climatological Association, says:

"The purity of atmosphere which is represented by a warm, moist, and equable climate is not to be compared with the purity which is represented by the opposite attributes of dryness and altitude. The first is where the temperature so continually hovers within the limits of the microbes' needs, where sound as well as heat is smothered in a short distance and the sun's rays give a dusky, red glow. The second, indicating a comparative absence of germs, is where exposed meat can cure and not spoil, where far distant objects appear near, and the unobstructed rays of the sun give nearly as white a light as does an electric light"

Dr. F. H. Atkins, of Las Vegas, N. Mex., in the Climatologist, says:

"The air here in New Mexico is very dry; by its rarity is tonic and stimulating. The various latitudes and altitudes give a great variety of climates as to temperature and atmospheric tenuity, but all are alike in dryness."

Dr. J. F. Danter, writing in the Medical Visitor, says:

"I think New Mexico surpasses any locality for consumptives I have yet visited, and I have been all over California, Colorado, the South, the Sandwich Islands, and Europe. I am decidedly of the opinion that the region visited is for consumptives superior to any other part of the United States or the world of which I have any practical knowledge."

Dr. F. E. Waxam, of Chicago, says, in speaking of New Mexico:

"One need not miss here the comforts, or, indeed, many of the luxuries of life. The general country, indeed, seems like a dreary waste; but this monotony of sunshine, dryness, and sand is a great boon to the invalid. This dry, rare, invigorating atmosphere soon instills new life into the patient, and many a one can thank this 'land of sunshine' for many years of added life or entire recovery."

Dr. J. W. Stickler, writing in the Medical Journal, says:

"Every man, woman, and child who has consumption in its primary stage should at once go to the best climate this country furnishes."

Dr. Roland G. Curtain's essay on consumption in the Medical News is summarized as follows:

"Salt air has a bad effect on tubercular lung disease by hastening the breaking-down process. Warm, moist air relaxes the tissues and blood vessels and enervates and relaxes the system at large. Rarefied air tends to prevent hemorrhage by arresting the ulcerative or other disease processes, and also by lowering the arterial tension. Cool air contracts the tissues and blood vessels, thus preventing the flow of blood when the tendency to hemorrhage exists, and blocks up the blood vessels—all favoring the arrest and prevention of bleeding. The purity of aseptic air favors repair and cure of the lung disease, and kills and dwarfs the action of the disease germ."

Dr. Henry O. Marcy, in the Journal of the American Medical Association, says:

"Exercise in elevated localities has an especially invigorating effect on the respiratory functions and apparatus; the circulation is improved, thereby increasing the

oxidation of the tissues, as well as producing a better cellular nutrition of the effete material."

Dr. Gatchell, writing in the Medical Era, says:

"The high interior of our continent comprised in the great table-land extending from the "Great Divide" in Colorado through New Mexico is not excelled anywhere in the world as a resort for consumptives. The altitude, the dryness, the purity of the atmosphere, and the large amount of ozone it contains combine to create conditions very favorable to recovery from consumption."

Dr. A. L. Loomis, above quoted, says:

"Localities where there is the greatest purity of atmosphere and consequent freedom from germs are undoubtedly the best for consumptives."

Dr. Herman Weber, of England, sums up the advantages attained in the mountains as follows:

"(1) Atmospheric purity, of aseptic nature, and comparative absence of floating matter; (2) dryness of the air and soil, comparative absence of mist; (3) the coolness of the air temperature and the great warmth of the sun temperature; (4) the rarefaction and low pressure of air; (5) the intensity of the light; (6) the stillness of the air in the winter; (7) a large amount of ozone. Effects: Increase of appetite; strengthening of the heart and circulation; rousing of muscular and nervous energy; activity of the skin."

The fame of New Mexico as a sanitarium for persons suffering from or threatened with pulmonary disorders has spread far beyond the limits of the United States. A committee traveling around the world under the auspices of the Société Médicale, of Paris, carried back to France the report that in the climate of New Mexico they found more beneficial characteristics and fewer drawbacks than in any other region of the world. It will take first place among the world's sanitaria for pulmonary consumptives in the near future.

All the required characteristics are here: A dry asceptic air, a light atmospheric pressure, a dry, porous soil, a maximum of sunshine, a minimum of cold, and a slight variation of temperature only between the extremes of heat and cold. New Mexico lies in the region of the greatest dryness in the United States. The average relative humidity of the Territory ranges from 20 to 43 per cent, according to locality. The average at Boston is 69.2; at Buffalo, 73.1, and at Olympia, Wash., 79.2 per cent. The rainfall for the entire Territory is approximately 10.2. The climate of New Mexico is its greatest glory. It is a land of sunshine. Here extremes are unknown; in summer it is never uncomfortably warm in the shade, and in the winter it is delightfully invigorating in the sun. The atmosphere is practically free from moisture and absorbs so little heat that in the extreme southern part of the Territory the direct rays of the sun may be hot, but are always accompanied by a deliciously cool breeze. The air has a crisp freshness even in the "dog days" that belongs to New Mexico alone. The dryness of the climate is not intermittent; it is constant.

The equability of temperature is shown by the fact that in summer it is cooler at Santa Fe than at any meteorological station in the same latitude and that this absence of summer heat is not counterbalanced by the drawback of extreme coldness in winter, the mean temperature there being comfortable and tonic figures of 28° F. during January, which is the coldest month in the year. This characteristic applies to the whole Territory. In the southern half of New Mexico both the summers and winters are naturally somewhat warmer.

The following is taken from the records of the United States weather office of Santa Fe:

1892.

Average temperature	degrees	49.1
Maximum temperature	do	90
Minimum temperature	do	1
Average relative humidity	per cent	43
Average velocity of wind	miles per hour	7.7
Total rainfall	inches	11.62
Number of cloudless days		248
Number of fair days		97
Number of cloudy days		29

1893.

Average temperature	degrees	49.4
Maximum temperature	do	89
Minimum temperature	do	5
Average relative humidity		38
Average velocity of wind	miles per hour	7.3
Total rainfall	inches	14.94
Number of cloudless days		235
Number of fair days		99
Number of cloudy days		31

1894.

Average temperature	degrees	48.9
Maximum temperature	do	86
Minimum temperature	do	0
Average relative humidity	per cent	41
Average velocity of wind	miles per hour	6.9
Total rainfall	inches	13.31
Number of cloudless days		213
Number of fair days		114
Number of cloudy days		48

The sunshine records of Las Cruces, in the extreme southern part of the Territory, at an altitude of 3,600 feet, and Las Vegas, in the east, at an altitude of 6,000 feet, are equally good. In fact, the weather records at Santa Fe are a general average for the whole Territory, and the health seeker has a wide range of choice as to locality.

The exceeding dryness of the atmosphere is accounted for by the contour and position of the mountain ranges.

Evidence is given that the mortality from consumption is no greater at the present day than it was hundreds of years ago. A recent article was published in one of the leading medical papers showing that in Jewish history, years before the Christian era, consumption was as rampant as now. This would tend to refute the idea that this disease is at present on the increase, and at the same time indicate that we possess no better therapy for this affection now than did the ancients. The greatest number of deaths from consumption occur in workers exposed to irritating substances in the respired air. In Switzerland ten out of every one thousand die of consumption of the lungs, while in England of one thousand deaths occurring in these workers three hundred and forty were due to consumption. This disease makes cruel onslaught likewise in those individuals who habitually occupy a bent posture at their occupations, and in those who live sedentary and intellectual lives. Of one thousand deaths in Italy among students and seminarians four hundred and fifty died of consumption, nearly 50 per cent.

In England, of a similar number of deaths among printers 430 succumbed to this disease. On the other hand, statistics show that it is quite exceptional for this disease to be the cause of death of those who live in the open air. In Switzerland, of 1,000 deaths occurring among outdoor laborers and farmers not more than one or two die of consumption. A similar number of deaths in Italy among shepherds and farmers shows only 44 or 45. In France the sanitary statistics gathered from 662 towns show that the more the population is conglomerated so in proportion are the inhabitants gravely affected with this disease. The vital statistics of New Mexico show the death rate from pulmonary consumption among the native population, Mexican and Indian, to be 3 in 1,000—the lowest known. This of course does not include patients who come here from the States and abroad suffering with this disease. During the past year or two public attention throughout the United States and Europe has been directed to this Territory as a natural sanitarium to a greater extent than ever before. The American Health Resort Association has published a large number of reports on this subject, which are attracting invalids here from all parts of the world, and there is no doubt that in the near future physicians informed upon climatological questions will unanimously pronounce this region the "Mecca par excellence" for health seekers. In order to derive all the possible benefit from such a climate as that of New Mexico the health seeker should live out of doors. If he has strength to get about at all, the best thing he can do is to go into the pine forests and camp out. The nomadic life of the tent dweller is the best possible treatment for incipient consumption.

It is often a grave mistake for an invalid, particularly a consumptive, to seek change of climate in a place where he has no friends, no occupation, nothing to distract his mind from himself and his malady. In a few days he exhausts the possibility of mere curious interests in unfavorable surroundings, and then he strolls about alone, or with chance acquaintances, until he becomes weary of the town and the monotony of his existence. Homesickness ensues, the mental disease more than counterbalances the climatic benefit, and the health seeker in desperation returns to his home, preferring the certainty of death among his friends to the possibility of prolonged existence under insupportable conditions. If such a health seeker would procure a saddle horse, pack animals, and a camp outfit, go into the mountains with a good guide and agreeable companions, he would find no monotony and no homesickness, but would gain strength and buoyancy of spirit and never know a dull hour. A year of outdoor life in the dry, bracing air of New Mexico will cure any case of beginning consumption if the sufferer has the necessary strength and vitality to begin such a course of treatment, and take ordinary precautions against undue exposure and overexertion.

Plans are now almost complete for the erection of a large sanitarium, to be located either at Santa Fe, Las Vegas, or Ojo Caliente, in this Territory, by a syndicate of

physicians of St. Louis, Mo., to carry out under the most favorable climatic conditions the new treatment for consumption, now being so successfully employed by Dr. Paul Paquin, of St. Louis, Mo.

From the published reports of competent physicians in all parts of the world, being now daily received by Dr. Paquin, the conclusion seems irresistible that in the immunerized serum treatment science has at last armed itself with a chemical agent which promises to limit, if not destroy, tuberculosis.

In a letter received from Dr. Paquin a few days ago he says:

"After making a personal tour of inspection through the Territory I am sure New Mexico offers better grounds for an all-year sanitarium than any place I have seen in this country."

The establishment of an institution of such importance and magnitude as this to the scientific world will attract the attention of physicians to this Territory as a natural sanitarium with greater force than ever before. The success of this institution will serve as an impetus to the founding of other establishments of a similar character now in contemplation by the Masonic and Odd Fellows fraternities, and it seems to me that the attention of the Federal Government should at once be solicited to inquire into the climatic advantages of New Mexico, looking to the establishment here of a large Government sanitarium for soldiers and sailors afflicted with consumption.

THERMAL SPRINGS OF NEW MEXICO.

Excepting the famous Yellowstone National Park, situated in the northwest corner of Wyoming, there is no other locality outside the Territory of New Mexico that contains so many natural thermal springs. This fact is not generally known throughout the States, and it is with a feeling of pleasure and genuine interest that I avail myself of the present opportunity (so kindly accorded me by Governor Thornton) to say a few words about these health shrines of nature's own furnishing, so frequently sought by the unfortunate sufferer from disease. Many persons not informed upon the natural resources of their own country annually flock abroad to seek relief from the waters of the various European "spas." Many of these persons might be induced to visit the great natural springs so numerous in this Territory could the matter of their medicinal merit be brought to notice in such a way as to show them that what they seek abroad can readily be found at home, and that, in curative properties, the natural mineral springs of New Mexico excel many of those of European repute.

Accurate analyses made by competent chemists show the composition of most of the springs found in New Mexico to be superior in many respects to those enjoying the highest reputation in Europe and in other countries. Many of these places are far removed from the general line of travel, but those best known to-day are easily accessible to the tourist and health-seeker, and are reached by good roads and stage lines. Many of them are equipped with modern hotels and bathrooms, good food, good service, healthful surroundings; in fact, ideal conditions to carry out a line of treatment where regularity, isolation, physical and mental rest are important factors. It would be a work of supererogation to attempt an enumeration of the many afflicted persons who have visited these springs, taking a course of the waters, and returning to their homes greatly benefited in health. A glance at the chemical composition of many of these waters will show that they compare favorably with many of those most sought in various parts of the world.

The geologic processes are so recent in New Mexico that nearly every county in the Territory has its healing, hot, or mineral springs. The purpose of this article is only to give a few facts concerning the more accessible resorts. Many important places are necessarily omitted, because the average tourist would be unable to visit them.

In geographical order the first to be mentioned are—

FOLSOM HOT SPRINGS.

Situated near Alps, a station on the Denver, Fort Worth and Texas Railroad, 59 miles south of Trinidad, on the summit of the Raton range of mountains close to the extinct volcano of Capulin, in Colfax County, near the northern boundary of the Territory. The altitude is about 6,500 feet, and the location is very beneficial for consumptives. They have fine medicinal properties and promise to become of prominence.

LAS VEGAS HOT SPRINGS.

In San Miguel County, at the mouth of the picturesque Gallinos Canyon, on the banks of the Gallinos River, is situated the Las Vegas Hot Springs, famed throughout the length and breadth of the land for their curative virtues in a multitude of diseases.

The springs are twenty-two in number, and from analyses made by Prof. F. V. Hayden, of the United States Geographical Survey, the following is extracted:

Constituents.

	1.	2.	3.
Sodium carbonate.....per cent..	1.72	1.1	5
Magnesium carbonate.....do....	1.08	10.6	10.43
Sodium sulphate.....do....	14.12	15.43	16.21
Sodium chloride.....do....	27.26	24.37	27.34
Potassium.....do....	Trace.	Trace.	Trace.
Lithium.....do....	St.trace.	St.trace.	St.trace.
Silicic acid.....do....	1.04	Trace.	2.51
Iodine.....do....	Trace.	Trace.	Trace.
Bromine.....do....	Trace.	Trace.	Trace.
Temperature.....degrees F..	130	123	123

In its chemical composition this water resembles in many respects the waters of the famous hot springs of Teplitz, in Austria, while in its two chief active constituents, the carbonate and sulphate of sodium, it may recall the somewhat analogous, though very much stronger, waters of Carlsbad, justifying in a degree the name often given it of "dilute Carlsbad water." This dilution, however, is more frequently a benefit than a disadvantage, for it permits a larger amount of the water to be taken, thus securing the valuable solvent and eliminating powers of the water itself, together with the remedial virtues of its mineral constituents.

OJO CALIENTE (HOT SPRINGS).

These celebrated hot springs are located in the midst of the ancient Cliff Dwellers, 25 miles west of Taos and 50 miles north of Santa Fe, N. Mex., and about 12 miles from Barranca Station, on the Denver and Rio Grande Railway, from which point a daily line of stages run to the springs. The temperature of these waters is from 90° to 122° F. The gases are carbonic. Altitude, 6,000 feet; climate, very dry and delightful the year round. There is now a commodious hotel for the convenience of invalids and tourists, and the reputation of these wonderful medicinal waters is fast spreading. These waters contain 1,686.34 grains of alkaline salts to the gallon, being the richest alkaline hot springs in the world. An analysis of these waters shows a total of 288.09 parts in 100,000 divided as follows:

Sodium carbonate	196.95
Calcium carbonate	4.20
Iron carbonate	20.12
Sodium chloride	40.03
Arsenic	10.08
Lithium carbonate	1.22
Magnesium carbonate	6.10
Potassium sulphate	5.29
Silicic acid	4.10

JEMES HOT SPRINGS

Are in Bernalillo County, in Santiago Canyon, being a branch of the Jemes Creek, which 9 miles south connects with another branch running through Guadaloupe Canyon. To reach them one has to travel from Santa Fe by wagon road to Pena Blanca, 27 miles distant west, crossing the Rio Grande there and thence keeping a western course through the foot hills of the Valles Mountains to Jemes pueblo, 26 miles; from there it is 13 miles to the first group of springs, at Archuleta post-office; or from Bernalillo, on the Atchison, Topeka and Santa Fé Railroad, also by wagon road past Santa Ana and Zia (or Silla) pueblos to San Ysidro and thence to Jemes pueblo, where this road and the former join, distant 27 miles.

Both roads are sandy, but the latter especially so, running for about 13 miles through Jemes Canyon.

A much better road running from Archuleta north and northeast through the mountains and ending at Espanola, has recently been constructed.

There are several groups of hot springs in Santiago Canyon, but those at Archuleta, and 2 miles farther north, are most frequented. At Archuleta are ample hotel accomodations. Many health seekers prefer the "upper group" and camp there. At both places the scenery is enchanting and the atmosphere dry and healthy.

The lower springs, at Archuleta post-office, have an altitude of 6,620 feet above sea level. Limestone and sandstone of the Carboniferous age form the sides of the

canyon, 1,000 feet high, often changed from their original position by volcanic materials. There are here:

1. A geyser with an opening of 1 square foot, a temperature of 168° F., running about 50 gallons a minute, with escaping carbonic acid and deposits of white carbonate of lime.
2. A spring of 130° F. with free carbonic acid and red-brown deposits.
3. A spring 119° F. with "alga" (crytogamic water plants). A black sulphate of iron forms on them, a result of the action of sulphureted hydrogen upon carbonate of iron and oxide of iron in the alga. The sulphureted hydrogen is a product of the reduction of gypsum.

There are more springs with a temperature from 102° to 108° F. The total salts in 100 parts of water amount to 0.2401 parts of sodium, lime, and magnesia. These springs are especially beneficial to rheumatic diseases.

The upper group, 2 miles from Archuleta, in the same canyon, consists of 42 springs. Their elevation is about 6,740 feet above sea level and their temperature varies from 70° to 105° F.

They flow from caves of carbonate of lime, some of which are 20 feet in height. Combined they form a dam or dike 30 feet high and 200 feet long. The springs contain 37.26 parts solids in 100 parts water, mostly chloride of sodium and sulphate and carbonate of soda, lime, and magnesia. They greatly resemble the famous Marienbad.

Besides the hot springs, north of the upper group are cold mineral springs. Halfway between the two groups is an extensive ruined pueblo.

CHERRYVILLE SPRINGS.

In Socorro County, at Cherryville, is the next occurrence of noted springs. These are found near the head of the cañada or falls of the Alamosa, whence Geronimo started out on his famous raid. They are accessible by stage from Engle, a station on the Atchison, Topeka and Santa Fe Railroad. They are on the eastern slope of the Black Range. The temperature is 130° F. and the altitude 6,540 feet.

GILA HOT SPRINGS.

In the southwestern part of Socorro County, on the west of the Gila or Diamond Creek, as it is called, is a group of springs, at 5,545 feet altitude, that are easily reached by wagon from Silver City. The temperature is 130° F. and they carry similar ingredients to the Jemes Springs.

APACHE TAJOE SPRINGS.

Four miles from White Water on the Atchison, Topeka and Santa Fe Railroad are also found some good springs of 97° F. They are in Grant County, 30 miles north of Deming.

HUDSON SPRINGS.

Twenty-four miles north from Deming and within 3 miles of Hudson on the Santa Fe road are several good springs. These springs are widely known and much frequented, both on account of their medicinal value and the lovely climate and beautiful scenery.

The average temperature of the springs is 130° F. and their altitude 5,782 feet above sea level. The main spring is a mound of soda, lime, and magnesia, in the center of which is a large depression containing the permanently boiling water, which has effected many cures of rheumatism and kidney and blood diseases. The water contains in one gallon the following solids:

	Grains.
Silica	1.552
Alumina and oxide of iron	.530
Carbonate of lime	4.448
Carbonate of magnesia	2.624
Sulphate of soda and potassium	13.547
Chloride of soda	2.286
	24.987

Some other undeveloped springs are about 3 miles north of Hudson Hot Springs.

It remains to be said that close to the western boundary of the Territory are several other locations of hot springs, of which one is about 10 miles southwest of Zuni and one in the valley of the San Francisco River, the latter at an altitude of 5,630 feet above sea level and having an average temperature of 84 degrees F., largely *used* by the Indians and the people of the vicinity respectively.

AZTEC SPRINGS.

This is a cold-water spring situated 4 miles east of Santa Fe. From the surrounding hills and ridges a magnificent view is had of the country for many miles, including the city of Santa Fe, the valley of the Rio Santa Fe, and portions of the valley of the Rio Grande del Norte, together with the magnificent mountain ranges in different directions.

Col. D. L. Huntington, surgeon, U. S. A., and curator to the United States Medical Museum, says of this spring: "The water contains 18 grains to the gallon of solid material, and it resembles many of the celebrated German springs, and would be found very useful in such diseases as catarrh of the bladder, and all forms of dyspepsia and intestinal indigestion. The water is also useful as a gentle and constant tonic."

Analysis of this water made by F. W. Clark, chief chemist of the Smithsonian Institution, Washington, D. C., shows it to contain the following per 1,000 parts:

Silicia	0.220
Carbonate of calcium	1.538
Magnesium	.605
Sodium chloride	.225

With enough carbonic-acid gas to retain the carbonates of calcium and magnesium in solution as bicarbonates.

Such healing waters, taken in connection with the pure, dry, and bracing climate of the mountains, should surely prove a boon to those affected with many forms of disease, and I invite the respectful and serious attention of physicians throughout the country to the many merits they possess in the treatment of numerous forms of disease.

FRANCIS CROSSON, M. D.

OCTOBER, 15, 1895.

THE SUPREME COURT.

I desire to call your attention to the formation of our present supreme court, which is composed entirely of district judges. In my opinion it is bad policy for the court of last resort to be composed of trial judges, for while it is true no judge sits in the supreme court upon a case which he has tried below, it is certainly a fact, well established from experience in the past, that they too often exert an influence upon their associates on questions arising before them, and upon cases appealed from the various districts, each judge feels an interest in having his own decision affirmed, which is an inducement for each to sustain the other. This system has been in existence for many years in the different Territories and has in the past proven, in many cases, very vicious; and in view of the further fact that the trial judges of the Territory have more work than it is possible for them to perform, and are now in some districts several years behind with their trial docket, I would respectfully recommend the creation of a court of last resort, to be composed of three or five judges, to act for the three remaining Territories of Oklahoma, New Mexico, and Arizona, with the right of appeal thereto from the district courts of the several Territories.

W. T. THORNTON,
Governor.

SANTA FE, N. MEX., *October 15, 1895.*

REPORT

OF

THE GOVERNOR OF OKLAHOMA.

GUTHRIE, OKLA., *August 28, 1895.*

SIR: I have the honor to submit the following report of the condition and progress of Oklahoma Territory for the fiscal year ending June 30, 1895:

GENERAL OBSERVATIONS.

Oklahoma Territory has, I believe, in the year past been as prosperous as any of its sister States and Territories, and has not felt the pressure of financial stringency as much as many of the Eastern States. The press of the nation has often depicted the suffering in Oklahoma, which may have led many to a misconception of the true condition of the people of this Territory. I think, in the main, these highly colored statements have been sent out by irresponsible reporters, and personally I know that many of them have been false and misleading. So, too, have been the statements of many persons who have taken upon themselves the task of collecting aid for Oklahoma, and even the agents of some of the Home Missionary Societies have depicted a condition which, if it really existed, ought to cause their supporters to withdraw from so barren a field. I do not desire to overstate the advances and prosperity of Oklahoma, nor to minimize its adversities, but hope to be able to make a faithful report of such facts as I have observed and have been able to gather from reliable sources.

The growth of Oklahoma has been rapid from the beginning, and I doubt if ever before so large a scope of country was so well settled and permanently improved in six years. Each reservation as it was opened was settled in a day, and the work of improving farms and building towns was immediately begun. Oklahoma is building on a firm foundation and is doing very little business on borrowed capital. This fact may just for the present retard its development, but ultimately the policy will prove itself wise. From a mental and moral standpoint the progress has been marked, and the cause of education and reform has been espoused by the masses of the people. Schoolhouses may be found in every community. Outlawry, despite the startling reports which are so current, is a rarity and is confined to desperadoes harbored in the Indian country on the south and east, who make occasional raids very often to their sorrow. For the first time since Oklahoma was opened for settlement summer crops were here, as in many of the States, cut short for lack of rain in early spring. In later spring and summer there has been an abundance of rain, and the entire Territory is reasonably prosperous.

POPULATION.

In the table below is given the population of the Territory by counties as shown by the last official census taken February 1, 1894. The Territorial census is taken only once in two years. The population has increased considerably since this census was taken. At that time many of the homesteaders in the Cherokee Strip had not taken up permanent residence on their claims, and were not counted. The opening of the Kickapoo Indian Reservation added perhaps 10,000 people to the population. I am of the opinion that there are at least 275,000 people now living in Oklahoma. Immigration has not been large in the year just passed, but has been steady, and consists principally of substantial farmers.

The entire population is distinctively American, and thrifty, industrious, and enterprising. The people are peaceful and law-abiding. The desperado that occupies so much attention of the Associated Press is as much of a curiosity to the Oklahoman as to his Eastern neighbor. Oklahoma is capable of supporting a large population, and a very considerable increase may be looked for in the future.

Population by counties on the 1st day of February, 1894, as shown by reports of county clerks to the Territorial auditor.

County.	Population.	County.	Population.
Beaver	2,316	O	14,994
Blaine	5,899	Oklahoma	20,523
Canadian	13,259	P	7,570
Cleveland	12,716	Payne	13,407
D	1,640	Pottawatomie	12,875
Day	215	Q	5,613
G	2,572	Roger Mills	1,023
K	14,379	Washita	1,800
Kingfisher	15,155		
L	14,032	Total	212,635
Lincoln	14,554	Estimated increase	62,365
Logan	19,532		
M	16,000	Grand total	275,000
N	2,241		

TAXABLE PROPERTY.

The table below shows the assessed value of all property, both real and personal, in Oklahoma Territory for the years 1894 and 1895. The showing is a very creditable one, and speaks volumes for the prosperity of the people. However, in this showing is included only a small portion of the real property of the Territory. Very few farmers have mae final proof, except in that portion opened to settlement in 1889, and many of the patents issued in that portion of the Territory were too late to be included in the assessment. It will be observed that the valuation has very nearly doubled in the year past, and a very considerable increase may be looked for in the next year. By referring to the annexed table it will be seen that the taxable property has been doubled in the year past, having increased nearly $20,000,000.

Taxable property of Oklahoma Territory by counties.

County.	1894.	1895.	County.	1894.	1895.
Beaver	$384, 288. 58	$978, 104. 15	M, Woods	$682, 206. 78	$1, 558, 758. 60
Blaine	260, 141. 00	451, 204. 80	N, Woodward	720, 378. 14	1, 410, 397. 40
Canadian	1, 889, 631. 57	8, 816, 650. 01	O, Garfield	790, 617. 59	1, 379, 320. 69
Cleveland	1, 389. 008. 10	2, 045, 583. 52	Oklahoma	3, 279, 886. 25	4, 575, 520. 44
D	90, 757. 00	244, 192. 50	P, Noble	966, 563. 16	1, 518, 177. 35
Day	151, 950. 58	344, 139. 00	Payne	958, 077. 57	1, 385, 341. 70
G	147, 207. 00	327, 987. 40	Pottawatomie	658, 343. 00	1, 029, 746. 00
K	962, 997. 00	2, 803, 420. 04	Q, Pawnee	185, 853. 00	1, 608, 781. 25
Kingfisher	1, 562, 038. 43	2, 039, 141. 70	Roger Mills	256, 209. 00	345, 988. 65
L, Grant	808, 829. 22	1, 043, 620. 63	Washita	193, 604. 00	395, 411. 90
Lincoln	648, 734. 00	1, 084, 329. 45			
Logan	2. 950, 619. 89	3, 889, 362. 03	Total	19, 947, 922. 86	39, 275, 189. 21

RAILROADS AND TELEGRAPH.

Oklahoma has at present four lines of railroad in actual operation: The Atchison, Topeka and Santa Fe and the Chicago, Rock Island and Pacific, which run through the Territory from north to south; the Choctaw, Oklahoma and Gulf Railway, which runs from El Reno eastward into Arkansas, and the Kiowa Division of the Atchison, Topeka and Santa Fe, which runs through the northwestern part of the Territory, making an aggregate mileage in the Territory of 463 miles.

The Choctaw, Oklahoma and Gulf Company has built and equipped some 50 miles of its line within the Territory in the past year. Several new lines of road have been projected, and there is a possibility that some of them may be built in the near future.

Many of the best portions of the Territory are too far remote from the railroad for farmers to haul their produce with profit. It has been well for the Territory that no bonds could be voted as subsidies to railroads. I firmly believe that capital will find a profitable investment in Oklahoma railroads. Connections with the pineries immediately east of us would greatly benefit the Territory.

BANKS AND BANKING.

There are fifty-two private banks and five national banks in the Territory of Oklahoma. Statements from these banks show that they have done a thriving business in the year past and are in very good condition at the present time. Money has been in demand at all times, thus enabling the banks to make a good profit on their investments. Compared with other States, the people of the Territory are not in debt so heavily. I am sorry, however, to observe a tendency on the part of farmers to mortgage their farms, and I trust that they will mortgage just as little as they can. Every dollar borrowed on a long-time loan means two to pay back; the lender growing richer each year and the borrower poorer is the rule.

In my message to the last legislature I strongly recommended the enactment of a law regulating private banking institutions in the Territory. This recommendation was not adopted. There being no law requiring private banks to publish statements or to furnish information relative to their business, it is impossible to obtain accurate information concerning these institutions.

Of the fifty-seven banks in the Territory, twenty-four have responded to my request for financial statements to aid me in making out this report, and I find that their aggregate capital stock is $546,000, with

surplus and undivided profits of $87,000; deposits, $1,302,000; loans and discounts, $826,000; securities, $190,000; cash and sight exchange, $465,000.

The following is the list of the banks which made financial statements as requested: The Capitol National Bank and Guthrie National Bank, Guthrie; the First National Bank of El Reno and Citizens' State Bank of El Reno, El Reno; the First National Bank of Oklahoma City and the State National Bank of Oklahoma City, Oklahoma City; Bank of Pawnee, and the Farmers and Citizens' Bank, Pawnee; Norman State Bank, Norman; Bank of Cleveland, Cleveland; Farmers and Merchants' Bank, and Stillwater State Bank, Stillwater; People's Bank, Edmond; the Exchange Bank, Alva; People's Bank, Kingfisher; The Bank of Santa Fe, Newkirk; Bank of Cross, Cross; Bank of Enid, Enid; The Walton Bank, Round Pond; First Bank of Okarche, Okarche; Bank of Mulhall, Mulhall.

PUBLIC FINANCES.

The increase in taxable property from nineteen to thirty-nine million has doubled the revenues and has established the finances of the Territory on a sound basis. The difficulty has never been that the expenditures of the Territory were excessive, but simply that the land was not taxable and that there was only a limited amount of personal property in the Territory. Even now only a very small per cent of the land is taxable. When patents shall have been issued for all lands in the Territory, then, unless there is a very great increase in expenditures, a low per cent of tax will pay all the debts of the Territory.

At present the Territorial levy for all purposes is 4.6 mills on the dollar. The total amount of general-fund warrants outstanding at this date, less cash in the treasury, is $160,095. The present levy of 3 mills on the dollar for Territorial general-fund amounts to $117,825, which will quite cover the current expenses of the Territory provided the taxes are closely collected, in which event there would be but little, if any, increase in the outstanding indebtedness of the Territory, and it is hoped that in the near future this indebtedness may be greatly decreased. The receipts from taxes for the fiscal year have been quite small, owing to the extension of time given by the legislature from April until the first Monday in August, which deferred the greater portion of the collections until after the close of the fiscal year. The amount due the Territory on taxes this year is $59,373.40. It will readily be seen that there are large resources available in the near future.

The Territory has now outstanding $48,000 in thirty-year 6 per cent school bonds, the proceeds from the sale of which were used in erecting buildings for the Territorial University, Territorial Normal School, and Agricultural and Mechanical College. Every effort consistent with good government and management of the affairs of the Territory is being made to keep the expenses of the Territory at a minimum.

THE COUNTIES.

All the counties of the Territory have considerable outstanding indebtedness, owing to the fact that they were compelled to run for a year or more after their organization before any taxes could be collected. This indebtedness is in part bonded and in part merely unpaid warrants.

The last legislature passed an act which practically puts the counties on a cash basis. A county is authorized to bond and pay all outstanding warrant indebtedness. The commissioners are required to levy a tax for each specific item of expense, thus creating a fund for that purpose, and they are forbidden to make any contracts or create any indebtedness in excess of 80 per cent of the amount levied for the fund. If any officer shall issue a warrant or create any indebtedness in excess of 80 per cent of the amount of said fund, he shall be liable on his official bond to pay the same. Thus carefully guarded, it will be quite impossible for the counties ever to create any indebtedness in excess of the levy. The rapid increase of taxable property will speedily reduce the rate of taxation.

PUBLIC SCHOOLS.

An excellent system of public schools is in operation in the Territory and is the pride of the people. Before the organic act was passed many communities had built schoolhouses and kept terms of schools for six months. With the small amount of taxable property in the Territory the schools have not had funds sufficient to hold as long terms as is desirable, but in the future, with the large increase in taxable property and the increase in the funds derived from the leasing of school lands, most of the districts will be able to hire good teachers and hold terms of school of from four to eight months. It was the intent of the legislature to provide a complete system of schools from the lowest to the highest, so that every child might avail himself of a good education and secure collegiate training at a minimum expense.

By act of the third legislative assembly two or more districts were authorized to unite in establishing a district high school, where advanced training could be secured by pupils without leaving their homes. In the main, the districts are provided with well-built schoolhouses. The normal institutes for training teachers were well attended, and have done much to advance the cause of popular education.

There has been apportioned among the several counties in the ratio of their school population in the past year $54,665.65, derived from the leasing of school lands, the same being 69 cents per capita. There are 79,665 children of school age in the Territory. Below is given the apportionment of the fund derived from the leasing of school lands for the fiscal year ending June 30, 1895:

County.	School population.	Amount.	County.	School population.	Amount.
Beaver	1,017	$701.73	M, Woods	5,940	$4,098.60
Blaine	2,126	1,466.94	N, Woodward	792	546.48
Canadian	4,528	3,124.32	O, Garfield	4,316	2,978.04
Cleveland	4,835	3,336.15	Oklahoma	6,631	4,575.39
D	442	404.98	P, Noble	2,262	1,560.78
Day	187	129.03	Payne	5,472	3,775.68
G	1,473	1,016.37	Pottawatomie	4,914	3,590.66
K	5,282	3,644.58	Q, Pawnee	1,836	1,266.84
Kingfisher	6,204	4,280.76	Roger Mills	515	355.35
L, Grant	4,235	2,922.15	Washita	1,526	1,052.94
Lincoln	5,370	3,705.30			
Logan	7,867	5,428.23	Total	77,770	53,661.30

THE UNIVERSITY.

The University of Oklahoma is located at Norman, a flourishing city in the southern part of the Territory. It has a beautiful building, well supplied with apparatus and a good library, and it offers excellent

courses in all regular college studies. It is rigorous in its requirements for admission to the university classes, and requires thorough scholarship for graduation. The policy has been to keep the standard of scholarship high. The university has been compelled to establish a preparatory department, to fit students for the university proper.

The Oklahoma Historical Society occupies a room in the building at the university. It is collecting exhaustive data on current history of the Territory. The university is supported by a one-half mill levy on the taxable property of the Territory and by a third share of the rental derived from the leasing of section 13 in the former Cherokee Outlet, which was reserved by act of Congress for the use and benefit of the university, Agricultural and Mechanical College, and Normal School. The revenue from this source will likely amount to $5,000 per annum for each institution. The university has had in attendance 190 students during the past year.

NORMAL SCHOOL.

The first legislative assembly for the Territory of Oklahoma established the Territorial Normal School at Edmond, a brisk and thriving town on the Atchison, Topeka and Santa Fe Railroad, and midway between Oklahoma City and Guthrie, the capital. Situated nearly in the center of the Territory, and easily accessible from all portions, few schools have a greater future before them. The school must grow as the Territory develops. The people of Oklahoma are deeply interested in the cause of education, as is attested by their admirable school system, excellent elementary and high school buildings, and the institution and erection of the Normal.

The Normal building (of the native red sandstone and brick) contains, besides the president's office and spacious halls, a large and commodious assembly hall and fourteen class rooms. The rooms are furnished neatly and appropriately, with special and adequate arrangements in the making of music rooms and laboratories. As yet, however, owing to a lack of funds due to the immediate necessity for building and furnishing, only a limited supply of apparatus has been purchased for the natural science department; but that is of the best quality, and large additions will be made in the near future. For the same reason the library is yet in its incipiency, though there are many valuable books of reference already on the shelves; but, as in the science department, large additions will be made during the coming year.

The faculty at present consists of a president and five professors, two being ladies, besides an instructor in music. Several courses are open to students, who numbered last year 161, male and female. These courses offer not only a thorough literary, business, and academic training, but also lead up to and embrace the pedagogic and professional. The especial aim and object of this school is to prepare teachers.

The institution is supported by a levy of a one-half mill tax, the income from reserved school lands and legislative appropriations. For the coming year the outlook is most promising. The Normal may rightfully look forward to a growing and useful career. Cheerfully supported by the whole people, its influence for good radiates and touches every class.

THE AGRICULTURAL AND MECHANICAL COLLEGE.

The Oklahoma Agricultural and Mechanical College, located at Stillwater, is supported by funds directly appropriated by the United States, and also by one-third of the proceeds from the leasing of section 13 in the Cherokee Outlet. During the year it received $20,000 from the United States and $8,953.76 from the Territory. Of the funds received from the United States $14,701 were for the support of the Agricultural Experiment Station, established as a department of the college.

During the year a new, well-constructed, and, as a whole, well-arranged college building was occupied for the first time. Large additions were made to the library and to the collections of apparatus in the different departments. There were enrolled 143 students, not all of whom were present throughout the college year. Regular classes up to the junior year were maintained, 54 students being enrolled in these. The faculty consists of eight persons, including the president and two teachers in the preparatory department. Good work was done in all departments. The policy of the institution is to keep in close touch with the public-school system, receiving students direct from these schools. The course of study gives special attention to the natural sciences and their application to agriculture and the industries of life. Several changes took place in the corps of instructors during and at the close of the year. It is believed, however, that the outlook for the college and also for the experimental work is more encouraging than at any former time.

THE INSANE.

By act of the legislature, the governor is authorized to contract for the care of the insane of the Territory. Heretofore they have been confined at Jacksonville, Ill., under contract with Dr. J. D. McFarland. Under this contract the Territory paid $25 per month for each person, and paid transportation and fees of officers. Dr. McFarland paid charges for transporaation of patients. The great distance to the asylum made the item of officers' transportation and fees excessive. During the two years past this item alone has amounted to an average of $150.75 for the conveyance of each of the 113 patients. Deducting $20, as per contract with Dr. McFarland, still left an average cost of $130.75.

On the 15th day of June the insane of the Territory were transported from Jacksonville, Ill., to Norman, Okla., where they will be confined under contract with the Oklahoma Sanitarium Company, whereby the Territory is to pay $25 per month for the care of each lunatic, the same price as that paid at Jacksonville, Ill., thereby saving the immense expense of transportation, which, as has been computed, amounted to over $8,000 per year.

The Oklahoma Sanitarium Company owned Higate College at Norman, and they decided to locate the asylum at that place. This college property is a handsome structure, 44 by 90 feet, three stories high, composed of native brownstone and brick. This building has been thoroughly remodeled and supplied with all the conveniences of a model hospital. To this a splendid three-story brick and stone addition has been built, 100 by 35 feet. The arrangement of rooms, dormitories, and halls of these buildings as regards ventilation and the general comfort of the inmates is unsurpassed by any hospital for the insane in the West.

In addition to these magnificent buildings, the Sanitarium Company owns 50 acres of land, giving abundant room for planting groves, laying out avenues and walks, furnishing convalescing patients the opportunity for exercise and recreation. The Sanitarium buildings are heated by steam and have sunlight in every room. Water is obtained through the city waterworks, the supply being abundant, and the quality is conceded to be the best in Oklahoma Territory.

The Sanitarium was opened for the reception of patients the 15th of June, since which time 31 have been admitted from the various counties of the Territory.

BOARD OF HEALTH.

The Territory has a well-organized and efficient board of health, with county boards of health in every county save two. There are in the Territory 484 physicians registered by diploma and 44 registered by examination.

Texas fever during July and August prevailed in a number of herds of cattle in Canadian, Payne, and Lincoln counties. A herd of 14 cattle from Hodgeman County, Kans., arrived in Noble County in July, 4 of which became infected and died. The remainder of the herd are yet unaffected. Perhaps 25 head, principally good milch cows, have died in and around Fort Reno and the Darlington Agency of this fever, the infection being due to cattle being brought from the Indian reservations south of the Territory. Early in the spring a herd of cattle from the Creek country was driven into Payne County to graze on leased lands. The fever developed among this herd and about 15 of them died. While it is said some of this herd were sold in that county, it is thought the most of them were returned to the Creek country. This herd left the infection in Payne County, and doubtless sowed the infectious ticks in Lincoln County on their way back. Two deaths from this fever have occurred in Blaine County from Indian issue cattle, and a few in the southwestern counties caused by Texas cattle. It is evident that many of the timber cattle on the east side have the Texas and Spanish ticks on them and are themselves healthy, but are doubtless infectious to the more highly domesticated cattle of our Territory. All of the original outbreaks of this fever during the present season are traceable to cattle which have been brought into the Territory from infected districts except the Noble County herd. Excepting the occasional occurrence of a death or two from this fever in the infected areas, there are no serious losses now from it, and with the advent of cooler days all danger will subside.

The people are acquiring information as to the cause and prevention of this fever, and by the return of another year every farmer and cattle owner will know more about the better modes of protecting his cattle from infection.

I would respectfully request that the Agricultural Department make its quarantine line conform as nearly as possible with that of our Territory, that the two may work jointly, and for the better protection of our cattle interests on the south and east.

BOARD OF PHARMACY.

The board of pharmacy issued 35 certificates entitling the holders to practice pharmacy. Sixteen applicants were rejected. The board is endeavoring to secure a high standard among the pharmacists of the Territory.

PENITENTIARY.

Next to the expense of the insane, the transportation and care of convicted criminals demand the greatest drafts on the public treasury. The convicts of the Territory are confined in the Kansas State Penitentiary, located at Lansing. The charge for maintenance is 25 cents per day for each Oklahoma inmate. The number of Oklahoma prisoners in the penitentiary December 31, 1892, was 26. During 1893, 33 were admitted and 17 discharged, leaving 42 remaining at the close of the year. During 1894, the additions number 50 and the removals 18, leaving 74 remaining.

The Territory pays transportation of both officers and prisoners. Undoubtedly it will be better if the Territory will at an early date arrange to care for both the prisoners and the insane.

PUBLIC BUILDINGS.

No territorial building has been erected in the year past. The only buildings owned by the Territory are the three college buildings used by the university, Normal School, and Agricultural and Mechanical College, at Norman, Edmond, and Stillwater, respectively. Each of these buildings is very neat and beautifully constructed. About half the counties have court-houses, but only a few have anything like permanent structures.

I have always recommended the erection of court-houses, and believe that it will pay any county to own its own buildings and thus save rents. I am pleased to note that several counties have in the past year erected court-houses and that others contemplate such action in the near future. The Territory needs suitable buildings for public offices, and will need to errect a penitentiary and insane asylum in the near future. Great assistance in this will be derived from the funds obtained from the leasing of section 33 in the Cherokee Outlet. By the time for the next meeting of the legislature there will be a sufficient sum at the disposal of the Territory to begin the erection of a very creditable building.

AGRICULTURE.

There is very little land in Oklahoma that is not tillable; therefore the principal occupation of the people is agriculture. Planting begins very early in the spring and crops mature very rapidly. More wheat is raised than any other cereal. Winter wheat is of an excellent quality and makes the very best flour in the market. The yield has been from 15 to 30 bushels to the acre. I have no statistics to show the acreage or yield of corn, but that crop is very large in the eastern portion of the Territory.

Cotton will be the most profitable crop this year. The indications are that there will be a great increase in the yield over preceding years. The price, too, is nearly double the price of last year. Hay is plentiful and cheap. Oklahoma watermelons are quoted from 5 to 10 cents higher in the markets than any other. Some stations on the railroad have shipped as many as 200 cars this season.

FRUIT GROWING.

Oklahoma has had a remarkable fruit crop this year, considering the age of her orchards. Fruit of all kinds is reasonably abundant and is unsurpassed in quality. Peaches especially are large and delicious, and were in demand for sale at fruit stands in the large cities. Many farmers realized good prices for their peach crop. Many young orchards have just begun bearing, and Oklahoma is fast gaining an enviable reputation in fruit growing. I believe that fully 80 per cent of our farms have good orchards.

STOCK RAISING.

The broad prairies of Oklahoma and the heavy growth of grass make Oklahoma preeminently suited to stock raising. The winters are so mild that where stock have a large range they do not require any feed save for a few days at a time in midwinter. The western portion of the Territory is largely devoted to raising cattle and horses. With the advancing price in cattle, this industry has become a very lucrative one. The stock is fairly well graded, but needs more attention along this line, as a great deal of energy is being wasted by raising inferior grades.

Very little attention has been given to wool growing. Hog raising has received much attention throughout the Territory and is one of the sources of great profit.

MINERALS.

Considerable excitement was occasioned a short time ago by the discovery of glittering sand in G and Washita counties containing a trace of gold. Large numbers of people rushed to the scene, but no deposits were ever found in paying quantities. In the Wichita Mountains many rich specimens of gold ore have been found. There are old mines which have been worked by the Spaniards, and every indication would point to rich deposits.

The land in Oklahoma has been declared by Congress to be nonmineral in character. Notwithstanding this there are strong indications of valuable mineral deposits in many places in the Territory. Specimens of lead, zinc, iron, copper, coal, lignite, asbestus, asphalt, gypsum, and other minerals have been found, but the places of their deposits have not been made known, fearing that it might affect the title to the land in some way. In digging several wells in the vicinity of Stillwater, at a depth of 100 to 140 feet from the surface, a sand rock containing marked indications of petroleum has been found, and in other places small fragments of coal showed strong indications of a good quality of nearly anthracite coal. Most of these specimens came from the Cimmaron, in county Q, or the east side of Payne County.

The limestone that crops out along the creeks and rivers east of Pawnee, Stillwater, and Perkins is fossiliferous, very compact, and capable of high polish, and when burned makes a strong lime, unequaled for building and plastering purposes. Gypsum occurs very plentifully in all directions.

There are plenty of surface indications of both coal and gas, besides oil, and a survey will undoubtedly develop all these things at no great depth, perhaps from 400 to 600 feet for coal and 700 to 900 feet for gas and oil. Asphalt is found in the southwestern part of Oklahoma, and *will in time* form a valuable mineral deposit.

It is certain that in the northeastern part of the Territory is a large area as valuable for minerals as any part of the region near Joplin, Mo., and it appears from surface points to belong to the same formation, and every indication would point to rich deposits. A complete survey of the Territory should be made at an early date with a view to developing its mineral resources.

Building stone of excellent quality is found in many places. Near the north line of Kay County is found a fine quality of flagging and building stone. In many parts of the Territory there is an abundance of red sandstone, which is used largely for building purposes. It is soft at first, but hardens with exposure. Many of the finest and most substantial buildings are made from this stone. A superior quality of brick clay is found throughout the Territory.

MANUFACTURING.

Oklahoma has done very little at manufacturing. There are a number of excellent flouring mills, and Oklahoma flour has an enviable reputation. Large shipments of flour are made to other States, in addition to supplying the home demand. The time is now ripe for more varied manufactories, and capital will find some very remunerative investments along this line.

SOCIAL AND RELIGIOUS.

There has been a steady advance along social and religious lines. As the people get better established in their homes and relieve themselves of pressing necessities incident to settling in a new country, they give more attention to the organic features of society. Very nearly all of the large secret lodges are organized in the Territory. A friendly, hospitable spirit prevails among the people. The whole people are distinctively American.

The churches have made considerable progress in the year past. The various mission boards annually spend large sums in extending the work and sustaining it at weak points. The various young people's societies have grown larger and are doing excellent work. I have written prominent ministers of the various denominations asking for a report, and have received answers from the following:

Christian—(by Rev. E. F. Boggess:	
Number of organizations	66
Membership (estimated)	4,000
Church buildings	11
Value of church property	$27,000
Number of churches organized last year	10
Number of preachers	24
Colored churches	2
Colored preachers	2
Y. P. S. C. E. societies	12
Sunday schools	25
Sunday school scholars	2,000
Missionary appropriation	$600
C. W. B. M.	7
Baptist—(by Rev. L. H. Holt):	
Church organizations	100
Church buildings	28
Membership	3,500
Number of pastors	60
Colored churches	50
Membership	2,000
Pastors	40
Value of all church property	$25,000

Catholic Church of Oklahoma proper—(by Bishop Theo. Maerschaert):	
Churches	24
Chapels	4
Stations visited	73
Missionaries	15
Membership over	10,000
Academies	4
College for boys	1
Schools for boys and girls	4
Schools for colored	2
Convents	4
Monastery	1
Value of school and church property	$60,000
Salvation Army—(by John T. Buckland):	
Number of corps	7
Number of officers	12
Number of soldiers	200
Number of converts for six months ending April 1, 1895	465
Value of barracks property	$1,500
Episcopal—(by Bishop F. K. Brooke):	
Organized missions	10
Other regular stations	9
Church buildings	8
Parsonages	5
Clergy	8
Communicants	320
Confirmed during the year	46
Missionary aid received	$5,200
Value of church property	$19,000
M. E. Church South—(by Rev. J. M. Gross):	
Church buildings	15
Church members	2,115
Sunday schools	40
Sunday school scholars	2,000
Value of church buildings	$24,315
Parsonages	5
Value of parsonages	$2,750
Missionaries	31
Missionary appropriation	$6,500

INDIANS.

The Indians within the Territory have progressed slowly but surely. From all that I can see and learn, I am led irresistibly to the conclusion that allotment in severalty is the best solution of the various Indian problems now confronting the United States. So long as the Indian holds to his old tribal relations just so long will he continue to emulate with scrupulous exactitude the example of his illustrious ancestors, so famed in war and chase, and will regard all labor as fit only for squaws. The Indian citizen, when left to solve the problem of life like other men, will no doubt find that he must conform to the conditions of life about him, and will settle down to a life of useful industry.

INDIAN RESERVATIONS.

Only one Indian reservation has been opened to settlement in the past year, the Kickapoo Indian Reservation, which was opened to settlement in May last. One hundred thousand acres, in round numbers, were selected as indemnity school land in lieu of loss of school land in the Osage Indian Reservation. This left only a little over two townships for homestead entry. Nearly half of the school land has been leased, and now leases are being made constantly.

The Wichita, Kiowa, Comanche, and Apache Indian reservations are still unopened. I earnestly solicit the influence of your Department to secure their early opening to homestead settlement. Some of

the richest lands in the Territory may be found in these reservations. Only a small portion of the land is in actual use at present. Thousands of fine homes would soon be made. There are so many families without homes that it seems too bad that such valuable tillable lands should be lying idle. I sincerely trust that matters may be so arranged as to throw these lands open for settlement at an early date.

SCHOOL LANDS.

In July, 1894, the lands in the Cherokee Outlet, reserved for the use and benefit of the colleges and public buildings in the Territory, were offered for lease to the highest bidders for three years from January 1, 1894. Only 281 leases were executed at this leasing, it being then too late for the season of 1894. The vacant lands remaining were then withdrawn from the market until January, 1895, when they were again offered for lease, at which time 316 more leases were executed. Since that time about 300 leases have been made, making in all 900 leases on college and public-building lands. The remaining vacant lands are being leased at private leasing at $25 per quarter per annum.

The proceeds from these leases amount to $13,355.12 for public buildings, and $13,703.03 for colleges. Notes for $27,654.77 have been taken for colleges, and $30,554.08 for public buildings. Each of these funds is greatly needed and will do great good for the Territory.

The leasing of the common school lands has been progressing steadily; however, very much of the land still remains vacant. On January 1, 1895, there were 1,950 quarter sections leased and 4,244 vacant. The larger portion of the vacant land lies in the western part of the Territory and in Beaver County. Only 25 leases have been executed on lands in Beaver County.

The last legislative assembly authorized the board to lease lands west of range 14 in as large tracts as in its judgment might seem wise. The board then advertised for lease all vacant lands west of range 14, west of the Indian meridian. Upon opening the bids it was found that the bid of D. Waggoner & Son for all vacant land in Woodward, Day, and Roger Mills counties was the highest, being $33 per section per annum. This, however, conflicted with the bids of local cattle men who were already occupying the land for grazing purposes. The matter was finally settled by D. Waggoner & Son transferring their lease to the parties in occupancy. There were 552 sections included in this lease, which disposed of over 300,000 acres of land which heretofore had lain vacant.

In July, 1894, the board appointed D. A. Harvey agent for the Territory to secure indemnity school lands for the Territory from the United States, subject to the approval of the legislative assembly. The compensation was to be 10 cents per acre for all lands secured. The legislative assembly by an act approved March 8, 1895, section 19, approved the contract, and Oklahoma indemnity lists Nos. 3 and 4 in Woodward County, embracing 23,677.47 acres, and lists Nos. 5 and 6, embracing 87,668.68 acres in the former Kickapoo Indian Reservation, were selected. There is now pending before the Department for approval an additional list of indemnity lands in this reservation. This covers nearly all the indemnity lands to which the Territory is entitled at present.

By act of Congress approved May 4, 1894, the board for leasing school land, composed of the governor, secretary, and superintendent of public instruction, was created and authorized to proceed with the leasing of these lands under rules and regulations heretofore prescribed by the

Secretary of the Interior, until such time as the legislative assembly should provide rules and regulations.

The last legislature failed to provide a code of rules. A great number of bills were proposed. One passed the lower house, but failed to pass the council. The subject is a very difficult one, and there exists considerable disagreement as to the correct method of renewing leases. Many of the lessees have made permanent and valuable improvements which it would be impossible to remove from the land, or if removed would be valueless. It seems clear that the school fund is entitled to the commercial rental value of the land on an open market, and it is equally clear that the lessee on the land should be given the preference to lease the land at the highest rental offered, or to have from the new lessee the reasonable value for his improvements within certain limits. It is to be hoped that the next legislature will provide proper rules and regulations, that the lessees may know certainly what to expect at the expiration of their leases.

The work of the past year has been very heavy, requiring a large force of clerks. As much business was done in this fiscal year as in all of the years preceding. The following tables will show the receipts and expenditures of money:

Receipts and expenditures for the year ending June 30, 1895.

Cash on hand June 30, 1894	$129.88
Net cash received June 30, 1894, to June 30, 1895	101,973.20
Total	102,103.08
Expense for the year	5,774.48
Securing indemnity school lands	2,184.40
Turned over to Territorial treasurer	67,430.00
Returned to applicants	5,386.35
Cash on hand June 30, 1895	21,327.85
Total	102,103.08

Table showing receipts and net proceeds of each fund for the fiscal year ending June 30, 1895.

Common schools:		
Cash received		$70,976.42
Office expenses	$3,905.93	
Securing indemnity lands	2,184.40	
Returned to applicants	3,316.27	
Net proceeds	61,569.82	
Total		70,976.42
Colleges:		
Cash received		15,795.61
Expenses	$934.25	
Returned to applicants	1,158.33	
Net proceeds	13,703.03	
Total		15,795.61
Public buildings:		
Cash received		15,201.17
Expenses	$934.30	
Returned to applicants	911.75	
Net proceeds	13,355.12	
Total		15,201.17
Total net proceeds		88,627.97

Notes on hand.

Due.	Number.	Amount.	Due.	Number.	Amount.
Common schools:			Colleges:		
Jan. 1, 1892	25	$1,128.47	Dec. 15, 1894	6	$302.80
Apr. 1, 1892	17	485.40	Dec. 15, 1895	270	8,996.04
Dec. 15, 1892	37	937.34	Dec. 15, 1896	326	11,884.80
Jan. 1, 1893	45	2,167.60	Dec. 15, 1897	138	5,098.68
Apr. 1, 1893	23	644.73			
Miscellaneous	12	286.30	Total		26,282.32
Dec. 15, 1893	120	3,462.04			
Jan. 1, 1894	51	2,399.87	Public buildings:		
Apr. 1, 1894	21	601.27	Dec. 15, 1894	10	367.83
Dec. 15, 1894	284	10,718.52	Dec. 15, 1895	280	10,340.05
Oct. 1, 1895	546	12,569.09	Dec. 15, 1896	335	13,413.95
Dec. 15, 1895	1,448	53,967.25	Dec. 15, 1897	126	4,936.47
Oct. 1, 1896	24	772.00			
Dec. 15, 1896	878	38,983.60	Total		29,058.30
Oct. 1, 1897	24	772.00			
Dec. 15, 1897	106	3,502.85	Grand total notes on hand		188,739.35
Total		133,398.73			

Net proceeds from leasing school land.

For fiscal year ending—	
June 30, 1891	$4,536.82
June 30, 1892	21,346.13
June 30, 1893	19,164.67
June 30, 1894	46,586.29
June 30, 1895	88,627.97
Total net receipts	180,261.88

In closing, permit me to express an abiding faith in the natural resources of Oklahoma, and to say that great development and progress may be looked forward to in the future.

Your obedient servant,

WILLIAM C. RENFROW, *Governor.*

Hon. HOKE SMITH,
Secretary of the Interior, Washington, D. C.

REPORT

OF

THE GOVERNOR OF UTAH.

SALT LAKE CITY, *September 24, 1895.*

SIR: I have the honor to submit my annual report for the year 1895.

POPULATION.

Counties.	Census 1890.	Territorial census 1895.	Males.	Females.	Native.	Foreign born.	White.	Colored.	Chinese.
Beaver	3,340	3,791	2,110	1,681	3,072	719	3,781	2	8
Boxelder	7,642	8,331	4,329	4,002	6,571	1,760	8,206	.....	125
Cache	15,509	18,286	9,146	9,140	13,893	4,393	18,262	22	2
Carbon a	.....	3,696	2,316	1,380	2,117	1,579	3,649	.....	47
Davis	6,751	7,480	3,773	3,707	6,307	1,173	7,480	.....	.....
Emery	5,076	4,390	2,308	2,082	3,770	620	4,359	.....	31
Garfield	2,457	2,888	1,512	1,376	2,704	184	2,886	.....	2
Grand	541	891	605	286	789	102	859	.....	32
Iron	2,683	3,123	1,540	1,583	2,676	447	3,104	.....	19
Juab	5,562	6,466	3,535	2,931	4,985	1,481	6,455	1	10
Kane	1,685	1,908	970	958	1,791	117	1,908	.....	.....
Millard	4,033	5,375	2,833	2,542	4,558	817	5,375	.....	.....
Morgan	1,780	2,261	1,170	1,091	1,833	428	2,261	.....	.....
Piute	2,842	1,727	918	809	1,521	206	1,727	.....	.....
Rich	1,527	1,781	931	850	1,498	283	1,776	1	4
Salt Lake	56,457	68,182	33,855	34,327	51,007	17,175	67,622	295	265
San Juan	365	500	288	212	468	32	499	1	.....
Sanpete	13,146	15,538	7,847	7,691	11,774	3,764	15,538	.....	.....
Sevier	6,199	7,893	4,042	3,851	6,360	1,533	7,893	.....	.....
Summit	7,733	9,631	5,344	4,287	6,994	2,637	9,524	13	94
Tooele	3,700	4,428	2,481	1,947	3,415	1,013	4,302	114	12
Uinta	2,762	3,967	2,130	1,837	3,715	252	3,961	1	5
Utah	23,768	29,229	14,780	14,449	23,824	5,405	29,223	3	3
Wasatch	3,595	4,408	2,264	2,144	3,637	771	4,405	.....	3
Washington	4,009	4,619	2,262	2,357	4,212	407	4,617	.....	2
Wayne b	.....	1,520	795	725	1,437	83	1,520	.....	.....
Weber	22,723	25,015	12,719	12,296	19,897	5,118	24,793	118	104
Total	207,905	247,324	126,803	120,521	194,825	52,499	245,985	571	768

a Organized in 1894 from part of Emery County.
b Organized in 1892 from part of Piute County.

The statistics of population, which it should be stated were collected during the months of February and March, 1895, by a house-to-house canvass, is probably the most accurate census ever taken in the Territory, and contains much interesting data. The increase of population between 1880 and 1890 was 44.4 per cent, between 1890 and 1895, 14.15 per cent, and yet the gain in population during the past five years has been at a much higher ratio, as compared with the population of 1880, than was the gain during the decade ending 1890.

The gain between 1880 and 1890 was, as has been stated, 44.4 per cent. The gain between 1890 and 1895, as compared with the same basis of calculation, was 27.4 per cent. In other words, the average annual gain between 1880 and 1890 was 6,394; the same between 1890 and 1895 was 7,884.

In each 1,000 inhabitants we have 513 males and 487 females; 788 native and 212 foreign born; 995 whites to 5 colored and Chinese.

REAL AND PERSONAL PROPERTY AND IMPROVEMENTS, 1895.

Statement showing the assessed valuation of real and personal property and improvements in the several counties for 1895.

Counties.	Realty.	Improvements.	Personalty.	Railroads, etc.	Total.
Beaver	$307,769.00	$237,322.00	$292,390.00	$180,822.00	$1,018,303.00
Boxelder	1,392,233.00	346,260.00	390,934.00	1,816,474.00	3,945,901.00
Cache	2,848,336.00	942,935.00	740,427.00	407,786.00	4,939,484.00
Carbon	202,330.00	144,519.00	300,215.00	391,708.00	1,038,772.00
Davis	1,655,433.00	535,890.00	295,028.00	577,542.00	3,063,893.00
Emery	264,349.00	108,274.00	218,302.00	463,159.00	1,054,084.00
Garfield	98,825.00	114,430.00	260,443.00	(b)	473,698.00
Grand a	46,657.00	26,110.00	135,946.00	629,233.00	837,946.00
Iron	330,468.00	156,675.00	281,404.00	444.00	768,991.00
Juab	635,937.00	673,537.00	375,333.00	538,338.00	2,223,145.00
Kane	95,933.00	119,871.00	210,768.00	b 27.00	426,599.00
Millard	307,210.00	152,519.00	384,476.00	462,728.87	1,306,933.87
Morgan	274,070.00	125,810.00	118,050.00	244,509.00	762,439.00
Piute	136,480.00	54,021.00	179,285.00	(b)	369,786.00
Rich	428,789.00	74,539.00	213,504.00	(b)	716,832.00
Salt Lake	24,029,871.00	8,582,970.00	6,041,672.00	2,011,377.00	40,665,890.00
San Juan a	3,000.00	20,595.00	241,247.00	(b)	264,842.00
Sanpete	1,521,788.00	715,457.00	974,467.00	462,591.00	3,674,303.00
Sevier	576,733.00	290,725.00	515,839.00	37,811.00	1,421,108.00
Summit	1,074,548.00	883,351.00	914,939.00	642,538.00	3,515,376.00
Tooele a	459,435.00	234,388.00	462,626.00	214,551.00	1,371,000.00
Utah	3,903,345.00	2,018,640.00	1,324,550.00	1,839,229.00	9,085,764.00
Uintah	260,099.00	121,850.00	248,072.00	920.00	630,941.00
Wasatch	443,440.00	219,540.00	186,540.00	233.00	849,753.00
Wayne a	59,790.00	42,065.00	117,630.00	(b)	219,485.00
Washington	295,380.00	256,110.00	344,595.00	683.00	896,768.00
Weber	7,126,645.00	2,966,285.00	1,442,695.00	864,490.00	12,400,115.00
Total	48,778,893.00	20,164,688.00	17,211,377.00	11,787,193.87	97,942,151.87

a These counties have been notified of the intention of the board of equalization to raise their valuations as follows: Grand, San Juan, and Wayne, on cattle; Tooele and San Juan, on sheep. If these raises are made it will increase the total valuation of the Territory $84,297.12.

b There are no railroads, etc., in these counties.

REVENUE, TERRITORIAL AND DISTRICT SCHOOL TAX.

Statement of the revenue from the tax levy for the years 1893 and 1894 for territorial and district school purposes.

[The territorial tax is 2 mills; the school tax is 3 mills.]

Counties.	Territorial and school tax.		Counties.	Territorial and school tax.	
	1893.	1894.		1893.	1894.
Beaver	$6,104.50	$5,421.68	Salt Lake	$242,339.27	$205,813.25
Boxelder	21,046.49	20,765.13	San Juan	1,901.60	1,302.32
Cache	31,008.18	26,278.84	Sanpete	22,148.00	18,438.05
Carbon	.....	4,444.58	Sevier	6,943.50	6,299.27
Davis	18,196.83	15,394.18	Summit	20,786.48	17,249.83
Emery	10,204.06	5,131.59	Tooele	9,049.01	6,903.92
Garfield	1,781.16	1,943.17	Uintah	2,889.41	3,028.88
Grand	5,827.82	4,649.30	Utah	46,515.55	44,034.81
Iron	4,086.28	3,732.62	Wasatch	5,532.94	4,663.88
Juab	12,139.14	10,369.07	Washington	4,665.25	4,679.65
Kane	3,662.60	2,770.43	Wayne	1,379.16	1,257.37
Millard	6,682.28	6,091.76	Weber	83,281.68	68,006.16
Morgan	4,232.92	3,647.35			
Piute	1,480.25	1,400.67	Total	575,574.21	497,516.21
Rich	2,689.85	3,798.45			

Statement showing the revenue for each year since 1853, and the total assessed value of property.

Year.	Territorial and school tax.	Value of property assessed.	Year.	Territorial and school tax.	Value of property assessed.
1854	$6,386.31	(a)	1875	$58,222.95	$23,289,180.00
1855	17,348.89	$3,469,770.00	1876	50,020.11	23,608,064.00
1856	16,999.38	2,937,977.00	1877	56,384.15	22,553,660.00
1857	12,892.43	2,578,486.00	1878	146,903.77	24,483,957.00
1858	9,032.32	(a)	1879	149,910.43	24,985,072.00
1859	9,957.17	3,982,869.00	1880	151,335.24	25,222,540.00
1860	23,369.50	4,673,900.00	1881	153,495.40	25,579,234.00
1861	25,160.92	5,032,184.00	1882	174,483.93	29,080,656.00
1862	47,795.18	4,779,518.00	1883	185,006.55	40,834,425.00
1863	50,482.00	548,200.00	1884	203,549.64	33,924,942.00
1864	33,480.02	6,696,004.00	1885	208,931.72	34,851,957.00
1865	47,269.65	9,453,930.00	1886	214,105.93	35,684,322.00
1866	52,338.98	10,467,796.00	1887	227,361.48	37,893,580.00
1867	53,239.13	10,647,826.00	1888	282,636.61	46,868,247.00
1868	52,669.36	10,533,872.00	1889	305,016.14	49,883,690.00
1869	59,968.03	11,393,606.00	1890	543,061.08	108,612,216.00
1870	33,639.09	13,455,636.00	1891	618,685.19	123,737,042.00
1871	38,163.56	15,265,424.00	1892	596,790.49	119,358,098.00
1872	43,976.40	17,590,560.00	1893	575,574.21	115,114,842.00
1873	53,870.87	21,548,348.00	1894	497,516.21	99,503,243.40
1874	57,021.45	(a)			

a No data.

PRIVATE AND PUBLIC BUILDINGS AND PUBLIC WORKS.

Statement showing te amount expended on private and public buildings and also for public works for the year 1894.

Counties.	Private buildings.	Public buildings.	Public works.	Counties.	Private buildings.	Public buildings.	Public works.
Beaver	$64,685	$750	$600	Salt Lake	$412,491	$632,150	$411,886
Boxelder	26,725	15,300	1,625	San Juan	4,005	3,000	.....
Cache	67,843	1,200	.....	Sanpete	48,109	3,437	12,780
Carbon	14,797	.....	1,325	Sevier	26,200	8,850	3,500
Davis	92,863	.....	4,511	Summit	19,385	.....	6,775
Emery	22,179	.....	.....	Tooele	47,441	35,250	2,175
Garfield	21,278	1,150	1,100	Uintah	21,797	(a)	(a)
Grand	13,095	4,778	1,626	Utah	75,429	6,483	.....
Iron	(a)	3,670	1,830	Wasatch	30,651	480	.....
Juab	10,000	14,500	12,384	Washington	22,815	.....	.....
Kane	6,930	300	5,100	Weber	155,317	117,390	91,990
Millard	36,610	51,050	5,750				
Morgan	8,532	.....	.....	Total	1,258,219	899,738	564,957
Rich	9,042	.....	.....				

a Not reported.

UNITED STATES LAND OFFICE.

Statement of the business of the United States land office at Salt Lake City, Utah, for the fiscal year ending June 30, 1895.

Kind of entry.	Number.	Acres.	Amount.
Cash entries (exclusive of area in commuted homestead and timber-culture entries)	81	316.66	$6,420.53
Mineral applications	30	752	300.00
Mineral entries	54	1,041.78	4,577.85
Adverse mining claims	9	.....	90.00
Desert-land applications	261	37,937.52	9,485.21
Desert-land final entries	69	10,974.09	10,599.89
Homestead entries	612	87,910.94	9,328.87
Final homestead entries	206	29,855.24	1,364.75
Final timber-culture entries	9	879.63	36.00
Coal filings	45	7,120	135.00
Railroad selections	3	55,845.76	726.00
Testimony fees	.....	.....	436.58
Total	1,379	232,633.62	43,500.68

SURVEYED LANDS.

The total amount of land surveyed in Utah during the fiscal year ending June 30, 1895, is 440,083.49 acres. The total number of mining claims surveyed is 185.

SETTLEMENT OF PUBLIC LANDS.

Statement showing the disposition and settlement of public lands in Utah Territory and the total business of the land office at Salt Lake City from the time of its opening, in March, 1869, to the end of the fiscal year ending June 30, 1894.

	Number.	Acreage.	Amount.
Cash entries	4,290	380,835.09	$631,720.64
Mineral entries	2,001	32,258.28	114,444.50
Mineral applications	2,277	.....	22,770.00
Desert applications	3,996	783,072.97	203,855.87
Desert final entries	1,011	191,058.63	197,084.65
Homestead entries	11,074	1,408,950.18	169,747.23
Homestead final entries	5,107	723,540.65	33,485.40
Timber-culture entries	1,577	179,305.49	17,902.00
Timber-culture final entries	33	3,552.52	136.00
Adverse mining claims	966	.....	9,426.00
Preemption filings	11,995	1,445,087.88	35,985.00
Coal filings	1,256	154,840	3,768.00
Coal cash entries	117	191,587.34	39,831.00
Union Pacific and Central Pacific R. R. selections	7	778,458.24	8,845.64
Land warrants	.....	23,957	615.00
Agricultural college scrip	.....	84,912	2,232.00
Valentine scrip	.....	280.12	14.00
Chippewa scrip	.....	479.82	10.00
Supreme court scrip	.....	4,530.02	.....
Sioux half breed scrip	.....	360	6.00
Soldiers' filings	1	160	3.00
Timber sold	.....	.....	127.08
Timber depredations	.....	.....	15,422.31
Testimony fees	.....	.....	18,134.08
Total	45,708	6,387,229.23	1,525,565.40

FARM LANDS.

Showing the amount of lands under cultivation, irrigation, and fenced for pasturage; also total number of acres of improved and unimproved land.

Counties.	Number of acres under cultivation in 1894.	Number of acres under irrigation in 1894.	Number of acres of pasturage fenced in 1894.	Number of acres of improved land in 1894.	Number of acres of unimproved land in 1894
Beaver	10,409	10,636	1,898	14,003	13,876
Boxelder	23,751	10,730	29,169	37,957	415,345
Cache	73,057	38,430	47,605	163,310	34,091
Carbon	7,679	7,679	.....	77,679	10,301
Davis	25,347	14,407	15,318	50,083	12,123
Emery	12,694	15,622	2,528	17,570	28,574
Garfield	6,565	6,832	3,798	12,874	10,727
Grand	6,842	3,142	4,632	4,765	6,839
Iron	6,610	6,143	970	8,903	9,157
Juab	10,933	7,383	8,210	15,791	15,852
Kane	2,235	1,539	1,564	2,579	2,757
Millard	16,036	16,389	10,348	32,415	42,750
Morgan	6,321	5,856	5,921	6,982	13,707
Piute	2,226	6,796	4,210	10,535	12,223
Rich	19,776	20,460	17,179	25,961	57,793
Salt Lake	36,708	36,683	21,297	53,768	47,492
San Juan	1,549	1,504	3,198	4,785	469
Sanpete	27,039	34,286	11,498	60,010	40,970
Sevier	26,300	26,300	8,952	44,390	21,000
Summit	5,378	20,967	9,064	23,338	43,807
Tooele	11,243	7,118	21,256	14,883	40,129
Uinta	12,520	12,980	2,902	16,414	12,664
Utah	67,633	57,397	24,106	86,905	25,037
Wasatch	12,995	12,443	2,177	16,107	16,360
Washington	5,642	5,555	1,117	6,204	2,327
Wayne	5,732	6,016	2,824	8,105	9,679
Weber	27,942	24,162	32,984	60,424	33,133
Total	467,162	417,455	294,725	806,650	979,182

NOTE.—Of all land under cultivation, 89.36 per cent is irrigated. The unimproved land covers only present ownership of farmers. It is estimated that 3,500,000 acres can be reclaimed by irrigation.

IRRIGATION.

Showing the amount of lands under cultivation, irrigation, etc.—Continued.

County.	Irrigation season begins.	Irrigation season ends.	Number of times lands irrigated during season.	Number of hours land is irrigated each time.	Elevation above sea in feet.	Depth of snow in adjacent mountains in feet.	Density of water per cubic foot per second.
							Acres.
Beaver	May 15	August 15	8	24	5,000-6,000	4	.....
Boxelder	May	August	8	1½	4,000-5,000	3	.....
Cache	do	September	8	4	4,500	3	150
Davis	April	October	10	2½	4,200-5,000	3	.....
Emery	March	November	.....	.....	3,900-4,500	4	.....
Garfield	April	August	8	5	6,500	3	.....
Grand	April 15	October 1	.....	.....	5,800-6,300	.....	.....
Iron	April	November	6	6	5,000-6,000	4	80
Juab	May	September	10	.....	5,500	8	.....
Kane	April 1	October	8	12	5,500	.....	75
Millard	April 15	August 15	.....	.....	5,500	3	.....
Morgan	May 20	September 1	7	.....	4,000-5,000	6	100
Piute	April	September	5	8	5,000-7,000	4	.....
Rich	do	August	3	8	6,000	5	.....
Salt Lake	May 15	September 15	8	.....	4,300	6	100
San Juan	.....	.....	.....	.....	5,000	.....	.....
Sanpete	May 15	September	5	24	5,550	6	95
Sevier	April	October	5	1	4,000-7,000	.....	.....
Summit	May	September	3	.....	5,845	5	.....
Tooele	March	do	.....	.....	4,600	2	80
Uinta	April	October	.....	.....	4,600	6	.....
Utah	March	September	8	.....	4,600	4	.....
Wasatch	.....	.....	.....	.....	6,000-7,500	6	.....
Washington	April	October	12	3	2,700-5,000	4	40
Weber	May	do	12	2	4,500	2	.....

FARMS.

STATEMENT OF INDEBTEDNESS AND EXPENDITURES.

Showing total number of farms, number free of incumbrance, number mortgaged, with amount and average rate of interest, and amount expended for buildings in 1894.

Counties.	Total number of farms.	Number of farms free of incumbrance.	Number of farms mortgaged.	Amount of mortgages.	Average rate of interest.	Expended for buildings, 1894.
					Per cent.	
Beaver	373	359	14	$10,505	19½	$20,905
Boxelder	799	701	98	109,920	10½	.....
Cache	3,842	3,469	373	296,134	10½	67,843
Carbon	108	103	5	4,800	9	14,862
Davis	879	741	138	165,863	8½	45,435
Emery	552	523	29	17,475	8½	22,179
Garfield	512	500	12	7,845	15	21,228
Grand	112	107	5	7,100	11	14,570
Iron	346	342	4	2,750	10	14,353
Juab	320	283	37	45,975	10¾	20,094
Kane	238	238	.....	.....	.....	6,930
Millard	470	420	50	57,517	13	67,660
Morgan	350	300	50	28,334	10	8,532
Piute	173	167	6	5,400	12	7,150
Rich	269	229	40	68,830	9	10,152
Salt Lake	2,195	1,889	306	354,550	10	65,405
San Juan	44	44	.....	.....	.....	4,005
Sanpete	1,540	1,334	206	138,549	11	73,804
Sevier	(a)	(a)	(a)	37,446	12	35,050
Summit	576	536	40	34,063	10	15,175
Tooele	517	462	55	35,892	10	11,690
Uinta	443	429	14	6,490	14½	21,797
Utah	2,751	2,394	357	295,526	10¾	81,912
Wasatch	515	462	53	35,959	13¾	30,651
Washington	482	480	2	6,120	10	.....
Wayne	(a)	(a)	(a)	400	(a)	7,940
Weber	1,175	941	234	197,909	8½	29,907
Total	20,581	17,453	2,128	1,971,352	11	[illegible]

a Not reported.

STATISTICS OF LABOR AND EXPENSES.

Showing the number of laborers hired and total wages paid for same in 1894; also amount expended for repairs, fertilizers, interest, taxes, and sundries, 1894.

Counties.	Number laborers hired.	Amount paid laborers.	Expended for repairs.	Expended for fertilizers.	Expended for interest and taxes.	Sundry expenses.
Beaver	260	$29,771	$17,823	$2,126	$5,293	$4,996
Boxelder	221	44,424	11,733	620	27,403	2,135
Cache	240	47,812	15,654	.....	79,895	92,604
Carbon	96	29,435	5,580	.....	1,659	6,053
Davis	416	45,885	16,800	1,825	42,261	41,740
Emery	64	14,746	4,037	4,276	13,697	2,868
Garfield	30	21,464	5,436	1,976	6,025	2,115
Grand	42	11,784	3,047	.....	1,537	3,782
Iron	108	13,702	2,700	2,774	1,603	5,190
Juab	170	29,840	5,565	5,607	8,356	4,303
Kane	27	8,290	1,160	757	1,720	720
Millard	259	44,552	9,163	.....	16,924	13,646
Morgan	(a)	(a)	5,184	360	7,554	2,910
Piute	81	18,400	(a)	.....	(a)	(a)
Rich	200	30,002	6,286	2,219	10,856	(a)
Salt Lake	607	90,168	20,360	4,346	89,386	21,778
San Juan	65	15,810	682	.....	1,886	1,507
Sanpete	768	205,512	25,239	13,101	60,057	12,937
Sevier	420	41,000	(a)	.....	24,930	(a)
Summit	75	29,961	5,462	125	15,120	6,841
Tooele	270	70,493	8,851	266	22,386	14,652
Uinta	91	13,354	9,980	.....	9,132	11,585
Utah	1,052	102,244	23,240	39,798	75,742	17,020
Wasatch	47	8,732	2,192	5,342	15,779	14,989
Washington	(a)	(a)	841	7,322	(a)	(a)
Wayne	12	4,815	3,607	6,055	1,358	2,160
Weber	339	43,150	16,257	11,726	70,261	17,614
Total	5,960	1,015,366	226,879	110,621	610,820	303,145

a Not reported.

FARM PRODUCTS.

WHEAT.

Showing the acreage in 1894, with the total product in bushels and its market value; also the average and highest yield per acre.

Counties.	Acreage in 1894.	Product.	Value.	Average yield per acre.	Highest yield per acre.
		Bushels.		*Bushels.*	*Bushels.*
Beaver	2,110	43,737	$26,257	20.7	70
Boxelder	13,838	173,486	65,057	12.5	67
Cache	43,328	830,787	332,315	19.2	56
Carbon	1,139	24,221	12,110	21.3	50
Davis	9,761	201,788	86,374	20.7	60
Emery	3,599	69,543	34,771	19.3	.....
Garfield	1,954	34,162	25,230	17.5	45
Grand	26	449	536	17.3	25
Iron	1,751	35,513	21,308	20.3	60
Juab	2,334	64,958	29,206	27.8	60
Kane	307	5,704	8,556	18.6	50
Millard	4,032	91,770	45,100	22.8	51
Morgan	1,412	46,528	21,304	33	60
Piute	1,335	27,231	12,235	20.4	.....
Rich	1,200	35,917	15,085	30	51
Salt Lake	6,445	174,161	77,718	27	.....
San Juan	287	2,050	1,867	7.1	40
Sanpete	12,540	253,257	150,543	28.2	.....
Sevier	8,381	197,735	118,641	23.2	65
Summit	2,628	64,173	32,128	24.4	70
Tooele	2,186	45,267	22,980	20.7	73
Uinta	2,692	58,458	29,805	21.7	51.6
Utah	9,488	266,662	135,017	28.1	80
Wasatch	3,297	63,455	38,073	19.2	40
Washington	1,421	33,766	25,325	23.8	55
Wayne	1,463	27,274	15,354	18.6	.....
Weber	5,763	141,021	57,201	24.5	60
Total	144,717	3,113,073	1,440,096	21.5	.....

NOTE.—The above totals show 46¼ cents as the average value per bushel and $9.94 as the average acre value of product.

CORN.

Showing the acreage in 1894, the total product in bushels, and its market value; also the average and highest yield per acre.

Counties.	Acreage in 1894.	Product.	Value.	Average yield. per acre.	Highest yield per acre.
		Bushels.		*Bushels.*	*Bushels.*
Beaver	46	787	$524	17.1	40
Boxelder	642	12,275	6,137	19.1	50
Cache	983	20,162	8,065	20.5	60
Carbon	489	10,895	5,442	22.3	70
Davis	722	16,659	6,711	23.1	150
Emery	656	8,041	4,069	12.1	.....
Garfield	337	3,382	2,108	10	20
Grand	453	8,245	9,022	18.2	50
Iron	550	6,948	4,169	12.5	50
Juab	318	6,967	3,121	22	58
Kane	297	5,024	6,798	17	70
Millard	478	8,494	4,262	17.7	66
Salt Lake	1,378	39,954	18,483	28.9	.....
San Juan	161	1,190	1,398	7.4	50
Sanpete	199	1,726	786	8.7	.....
Sevier	97	2,770	a 1,350	28.7	40
Tooele	560	9,299	4,620	16.6	.....
Uinta	542	8,082	4,220	14.9	66
Utah	3,019	75,909	37,735	25.1	75
Washington	397	7,331	5,500	18.5	32
Wayne	116	2,932	1,297	25.3	.....
Weber	1,453	36,525	15,616	25.1	80
Total	13,843	293,557	151,433	.....	.....

a Estimated.

NOTE.—The above totals show 58 cents as the average value per bushel and $10.90 as the average acre value of product.

RYE.

Showing the acreage in 1894, the total product in bushels, and its market value, together with the average yield per acre.

Counties.	Acreage in 1894.	Product.	Value.	Average yield per acre.
		Bushels.		*Bushels.*
Beaver	9	43	$56	4.8
Boxelder	617	5,275	1,746	8.5
Cache	336	3,545	1,418	10.6
Davis	55	443	210	3.9
Emery	15	58	116	.....
Garfield	.....	.....	.....	9.2
Grand	10	92	69	.....
Iron	.....	.....	.....	9.1
Juab	530	4,838	2,116	22.5
Kane	6	135	212	16.4
Millard	205	3,352	1,561	.....
Rich	10	200	100	20
Salt Lake	705	9,995	5,254	14.2
Sanpete	352	4,170	1,756	11.8
Sevier	73	948	474	13
Tooele	250	2,500	1,250	10
Uinta	14	113	61	8.1
Utah	566	6,209	3,399	11
Weber	38	436	296	11.5
Total	3,791	42,352	20,094	11.2

NOTE.—The above totals show 47 $\frac{1}{10}$ cents as the average value per bushel and $5.30 as the average acre value of product.

BARLEY.

Showing the acreage in 1894, the total product in bushels, and its market value, together with the average yield per acre.

Counties.	Acreage in 1894.	Product.	Value	Average yield per acre.
		Bushels.		*Bushels.*
Beaver	35	1,200	$681	34.3
Boxelder	727	10,965	3,838	15.1
Cache	436	13,772	3,443	31.6
Carbon	8	130	48	16.2
Davis	1,562	52,425	15,560	33.6
Emery	21	660	330	31.4
Garfield	141	2,790	1,117	19.1
Grand	88	1,795	1,795	20.4
Iron	94	3,944	1,972	42
Juab	232	10,160	4,018	43.8
Kane	30	740	1,110	24.7
Millard	287	8,520	2,760	29.7
Morgan	210	6,415	1,978	30.5
Rich	55	2,284	685	41.5
Salt Lake	516	15,370	7,051	29.8
San Juan	7	340	275	48.6
Sanpete	393	16,091	5,045	40.9
Sevier	299	5,940	2,188	19.9
Summit	76	2,560	1,125	33.7
Tooele	543	8,600	3,511	15.9
Uinta	34	662	378	19.5
Utah	1,640	66,195	24,121	40.4
Wasatch	92	3,798	2,279	41.3
Washington	202	5,792	3,475	28.7
Wayne	24	336	425	14
Weber	1,002	30,382	10,999	30.3
Total	8,754	271,866	100,207	31

NOTE.—The above totals show 36$\frac{8}{10}$ cents as the average value per bushel and $11.60 as the average acre value of product.

OATS.

Showing the acreage in 1894, the total product in bushels, and its market value; also the average and highest yield per acre.

Counties.	Acreage in 1894.	Product.	Value.	Average yield per acre.	Highest yield per acre.
		Bushels.		*Bushels.*	*Bushels.*
Beaver	1,306	33,960	$13,179	26	92
Boxelder	794	26,121	7,836	32.9	83
Cache	3,347	132,374	33,093	39.6	90
Carbon	1,189	33,625	11,208	28.3	64
Davis	605	22,808	7,455	37.7	105
Emery	2,136	54,547	16,364	25.5	.....
Garfield	1,057	21,802	8,213	20.6	60
Grand	69	1,404	988	20.3	50
Iron	963	34,468	13,787	35.7	75
Juab	577	20,631	6,804	35.8	120
Kane	163	3,980	2,866	24.4	70
Millard	1,951	61,308	21,159	31.4	85.5
Morgan	654	27,332	8,247	41.8	75
Piute	603	15,099	5,524	26	.....
Rich	1,837	75,457	22,637	41.1	75
Salt Lake	2,105	64,352	26,670	30.6	.....
San Juan	233	3,248	2,325	13.9	40
Sanpete	4,348	135,077	38,169	31.1	.....
Sevier	5,408	154,462	54,062	28.6	90
Summit	2,179	70,869	25,866	32.5	90
Tooele	984	33,826	14,500	34.4	87
Uinta	1,530	40,383	17,555	26.4	68
Utah	3,872	144,308	55,736	37.3	150
Wasatch	1,648	49,308	19,623	30	71
Washington	255	6,964	4,178	27.3	63
Wayne	1,000	24,628	7,680	24.6	.....
Weber	2,521	94,769	24,834	37.6	124
Total	43,334	1,387,710	470,658	32	.....

NOTE.—The above totals show 33$\frac{9}{10}$ cents as the average value per bushel and $10.81 as the average acre value of product.

POTATOES.

Showing the acreage in 1894, the total product in bushels, and its market value, together with average and highest yield per acre.

Counties.	Acreage in 1894.	Product.	Value.	Average.	Highest yield per acre.
		Bushels.		*Bushels.*	*Bushels.*
Beaver	270	29,751	$8,196	110.2	300
Boxelder	365	67,045	13,409	183.7	700
Cache	1,390	207,300	51,825	149.1	600
Carbon	304	20,815	8,326	68.5	170
Davis	595	94,030	24,138	158	800
Emery	195	12,653	4,044	64.9	.....
Garfield	118	12,652	5,711	107.2	300
Grand	51	6,455	6,013	126.6	400
Iron	302	21,433	7,144	71	400
Juab	179	23,896	7,056	133.5	400
Kane	80	8,645	12,967	108.1	600
Millard	217	31,399	8,417	144.7	450
Morgan	580	126,590	26,414	218.3	500
Piute	45	5,925	1,841	131.7	.....
Rich	166	32,270	6,454	194.4	400
Salt Lake	1,858	279,125	72,630	150.2	.....
San Juan	23	1,845	1,707	80.2	300
Sanpete	835	70,472	18,862	91.6	.....
Sevier	378	48,900	12,225	129.4	600
Summit	313	56,034	23,415	179	600
Tooele	196	22,319	9,452	113.9	640
Uinta	194	25,000	7,445	128.9	800
Utah	3,022	156,898	115,030	51.9	700
Wasatch	364	55,110	11,022	151.4	700
Washington	100	12,219	6,101	122.2	450
Wayne	90	10,310	2,100	114.6	.....
Weber	1,296	204,148	50,911	157.5	600
Total	13,526	1,649,239	522,855	121.2	.....

NOTE.—The above totals show 31 7/8 cents as the average value per bushel and $38.42 as the average acre value of product.

BEETS.

Showing the acreage in 1894, the total product in tons, and its market value, together with the average yield per acre.

Counties.	Acreage in 1894.	Product.	Value.	Average yield per acre.
		Tons.		*Tons.*
Beaver	2	3	$36	1.5
Boxelder	12	130	553	18
Cache	16	226	1,359	14
Davis	78	320	3,026	4
Emery	6	10	123	1.4
Juab	11	25	246	2
Salt Lake	342	4,407	20,801	12.9
Sevier	9	9	53	1
Utah	2,522	32,112	136,640	12.7
Weber	58	773	3,827	13.3
Total	3,056	38,015	166,714	.....

NOTE.—The above totals show $4.30 as the average value per ton and $54.55 as the average acre value of product.

HAY.

Showing the acreage in 1894, the total product in tons, and its market value, together with the average per acre.

Counties.	Acreage in 1894.	Product.	Value.	Average yield per acre.
		Tons.		*Tons.*
Beaver	1,700	2,918	$16,197	1.7
Boxelder	3,624	10,570	31,710	2.9
Cache	13,701	20,927	83,704	1.5
Davis	2,597	4,968	32,668	1.9
Emery	416	619	2,476	1.5
Garfield	1,278	1,361	8,988	1.1
Grand	240	286	1,775	1.2
Iron	619	720	3,600	1.2
Juab	2,075	2,632	15,440	1.3
Kane	475	985	9,850	2.1
Millard	808	1,163	5,878	1.4
Morgan	715	1,511	10,315	2.1
Piute	2,318	2,424	11,855	1
Rich	16,092	17,432	69,728	1.1
Salt Lake	1,297	4,705	22,082	3.7
San Juan	210	466	4,465	2.2
Sanpete	9,070	11,646	54,557	1.3
Sevier	3,478	4,301	21,505	1.2
Summit	11,386	15,364	73,219	1.3
Tooele	1,749	3,784	17,870	2.2
Uinta	413	534	2,726	1.3
Utah	8,158	12,879	54,917	1.6
Wasatch	4,034	6,763	27,052	1.7
Washington	220	298	1,788	1.8
Wayne	468	616	3,874	1.3
Weber	2,114	3,774	16,160	1.8
Total	89,255	123,646	604,399	1.4

NOTE.—The above totals show $4.88½ as the average value per ton and $6.77 as the average acre value of product.

LUCERNE.

Showing the acreage in 1894, the total product in tons, and its market value; also the average and highest yield per acre.

Counties.	Acreage in 1894.	Product.	Value.	Average yield per acre.	Highest yield per acre.
		Tons.		*Tons.*	*Tons.*
Beaver	3,126	7,908	$40,301	2.5	7
Boxelder	8,955	21,545	64,635	2.4	7
Cache	12,832	39,838	119,514	3.1	6
Carbon	3,657	10,937	65,622	3	5
Davis	9,892	23,667	86,107	2.4	8
Emery	5,044	10,524	36,834	2.1	.....
Garfield	1,761	3,206	21,760	1.8	3
Grand	1,562	4,681	22,922	3	5
Iron	2,627	6,251	34,545	2.4	6.6
Juab	3,585	9,327	41,731	2.6	6
Kane	672	3,574	35,740	5.3	7
Millard	7,409	20,993	74,969	2.8	7.5
Morgan	2,527	7,646	32,146	3	5
Piute	1,645	2,691	13,455	1.7	.....
Rich	2,547	8,510	34,040	3.3	6
Salt Lake	19,491	65,344	276,153	3.4	.....
San Juan	545	1,264	12,355	2.3	5
Sanpete	10,340	27,985	95,350	2.7	.....
Sevier	7,017	18,864	94,320	2.7	4.2
Summit	3,592	12,636	42,433	3.5	7
Tooele	4,451	11,900	59,371	2.7	8.6
Uinta	5,706	14,490	57,469	2.5	7
Utah	25,225	70,004	276,233	2.8	9
Wasatch	3,845	12,236	36,708	3.2	5
Washington	2,038	6,904	41,424	3.4	7
Wayne	1,804	4,033	24,424	2.2	.....
Weber	11,649	35,501	110,506	3.1	7
Total	163,544	462,459	1,851,639	2.8	.....

NOTE.—The above totals show $4 as the average value per ton and $11.31 as the average acre value of product.

FRUIT.

APPLES.

Showing the acreage, product in bushels, bushels sold, and total value of product in 1894.

Counties.	Acreage in trees in 1894.	Product.	Value.	Number of bushels sold.
		Bushels.		
Beaver	67	5,287	$2,885	100
Boxelder	67	4,434	2,217	802
Cache	1,102	24,007	9,603	2,345
Davis	246	11,668	5,834	3,899
Emery	50	350	188	150
Garfield	35	797	797	.....
Grand	103	2,432	3,466	1,740
Iron	77	4,463	2,231	.....
Juab	258	25,409	4,034	764
Kane	20	550	300	250
Millard	249	32,466	9,740	5,540
Morgan	12	634	599	.....
Rich	*a* 2,155	213	.....	.....
Salt Lake	617	43,470	31,429	15,934
San Juan	.....	100	.....	.....
Sanpete	(*b*)	14,805	5,922	563
Sevier *c*	.....	.....	.....	.....
Summit	.....	32	.....	.....
Tooele	75	8,114	4,057	.....
Uinta	178	560	1,120	240
Utah	863	147,528	36,858	7,676
Washington	30	3,013	1,506	.....
Wayne	17	353	353	81
Weber	447	47,250	23,625	26,319
Total	6,698	377,935	146,764	66,403

a Number of trees. *b* Acreage not reported. *c* Reports nothing raised for market.

PEACHES.

Showing the acreage, product in bushels, bushels sold, and total value of product in 1894.

Counties.	Acreage in trees in 1894.	Product.	Value.	Number of bushels sold.
		Bushels.		
Beaver	3	87	$70	20
Boxelder	133	11,130	4,452	4,838
Cache	10	226	226	4
Davis	192	12,977	9,732	7,089
Emery	35	245	262	105
Garfield	5	98	98	.....
Grand	63	13,645	8,875	6,835
Iron	7	271	203	.....
Juab	27	2,112	781	295
Kane	17	(*a*)	.....	.....
Millard	73	8,451	4,225	900
Salt Lake	121	4,736	4,750	2,776
San Juan *b*	.....	2,400	.....	.....
Sanpete *b*	.....	78	.....	.....
Tooele	48	7,761	3,761	.....
Uinta	2	140	268	130
Utah	428	40,751	12,872	1,109
Washington	245	33,955	11,884	.....
Wayne	16	963	896	570
Weber	261	14,746	11,797	11,350
Total	1,636	154,772	75,152	36,021

a Killed by frost. *b* Acreage and value not reported.

APRICOTS.

Showing the acreage, product in bushels, bushels sold, and total value of product in 1894.

Counties.	Acreage in trees in 1894.	Product.	Value.	Number of bushels sold.
		Bushels.		
Beaver	1	22	$37	.....
Boxelder	6	409	164	89
Cache	5	20	8	.....
Davis	4	370	296	132
Emery	15	105	68	45
Grand	14	313	367	45
Juab	6	351	108	5
Kane	3	.....	.....	.....
Millard	5	226	113	3
Salt Lake	27	849	840	393
San Juan	.....	75	.....	.....
Sanpete	.....	21	.....	.....
Tooele	15	1,953	1,020	.....
Uinta	6	100	100	50
Utah	167	11,988	4,717	244
Washington	33	2,785	1,114	.....
Wayne	4	12	12	.....
Weber	40	1,635	1,308	1,217
Total	351	21,234	10,372	2,123

NOTE.—No reports were received from Carbon, Garfield, Iron, Morgan, Piute, Rich, Sevier, Summit, and Wasatch counties.

PLUMS.

Showing the acreage, product in bushels, bushels sold, and total value of product in 1894.

Counties.	Acreage in trees in 1894.	Product.	Value.	Number of bushels sold.
		Bushels.		
Beaver	4	140	$229	.....
Boxelder	26	1,334	667	442
Cache	100	4,395	2,200	225
Davis	92	5,729	3,437	2,299
Emery	13	91	59	39
Garfield	4	114	114	.....
Grand	47	322	417	106
Iron	5	97	72	.....
Juab	12	632	325	17
Kane	1	30	.....	.....
Millard	26	2,452	1,226	130
Morgan	3	90	85	.....
Rich	98	10	.....	.....
Salt Lake	66	2,786	1,478	1,605
San Juan	.....	125	.....	.....
Sanpete	.....	673	.....	14
Tooele	7	815	815	.....
Uinta	21	191	382	35
Utah	190	10,980	4,945	871
Washington	10	946	473	.....
Wayne	5	19	19	.....
Weber	122	4,839	2,892	3,525
Total	852	37,810	19,835	9,308

NOTE.—No reports were received from Carbon, Piute, Sevier, Summit, and Wasatch counties.

PEARS.

Showing the acreage, product in bushels, bushels sold, and total value of product in 1894.

Counties.	Acreage in trees in 1894.	Product.	Value.	Number of bushels sold.
		Bushels.		
Beaver	1	50	$78	.....
Boxelder	8	127	63	45
Cache	10	1,244	995	112
Davis	44	789	513	519
Emery	12	84	81	36
Grand	21	279	502	150
Iron	1	18	18	.....
Juab	13	590	397	15
Kane	1	50	.....	.....
Millard	8	627	376	41
Rich	40	7	.....	.....
Salt Lake	44	1,665	1,047	878
San Juan	(a)	10	.....	.....
Sanpete	(a)	423	.....	.....
Sevier b	.....	.....	.....	.....
Tooele	2	250	275	.....
Uinta	17	40	.....	.....
Utah	117	5,121	3,487	853
Washington	10	500	300	.....
Weber	215	15,387	10,700	12,857
	564	27,261	18,832	15,506

a Acreage not reported. b Reports nothing raised for market.

GRAPES.

Showing acreage product in pounds, value of product, wine made, and value of same in 1894.

Counties.	Acreage in 1894.	Product.	Value.	Wine manufactured in 1894.	Value.
		Pounds.		*Gallons.*	
Boxelder	14	19,710	$985	1,225	a $980
Cache	10	3,157	b 95	718	a 574
Davis	65	105,965	3,167	526	a 421
Emery	8	33,700	1,000	100	100
Grand	37	115,000	5,175	3,831	3,147
Juab	2	700	55	50	28
Kane	8	5,000	150	.....	.....
Rich	.....	.....	.....	319	319
Salt Lake	44	38,403	2,304	274	137
San Juan	3	3,000	b 90	.....	.....
Tooele	9	134,530	5,384	1,900	1,558
Uinta	6	85,900	1,718	258	200
Utah	117	252,196	8,653	7,312	6,933
Washington	234	233,307	6,999	29,333	14,607
Wayne	10	14,000	1,400	500	840
Weber	11	2,200	88	900	900
Total	578	1,046,768	37,263	47,246	30,744

a Estimated at 80 cents per gallon. b Estimated at 3 cents per pound.

SMALL FRUITS.

Showing acreage, product, and value of small fruits, including currants, cherries, etc., in 1894.

Counties.	Acreage in 1894.	Product in pounds.	Product in bushels.	Value.
Beaver	1	2,215	.....	$140
Boxelder	18	44,560	.....	985
Cache	12	.....	3,969	7,200
Davis	58	110,537	.....	7,131
Emery	15	.....	75	51
Garfield	3	.....	204	204
Grand	8	.....	520	520
Iron	1	.....	19	19
Juab	5	6,000	334	715
Kane	3	24,840	60	60
Millard	8	.....	.....	1,242
Morgan	10	.....	225	483
Salt Lake	120	74,069	2,151	8,304
Sanpete	(a)	43	658	660
Summit	(b)	.....	383	400
Tooele	5	10,500	.....	420
Uinta	8	15,223	.....	1,500
Utah	224	195,785	.....	19,285
Washington	66	3,485	.....	348
Weber	182	131,060	3,655	12,777
Total	747	618,317	12,253	62,444

a Acreage reported: "422 acres small fruits, all kinds." b Acreage not reported.

DRIED FRUITS.

APPLES, PEACHES, APRICOTS, PLUMS, AND PEARS.

Counties.	Apples.	Peaches.	Apricots.	Plums.	Pears.
	Pounds.	*Pounds.*	*Pounds.*	*Pounds.*	*Pounds.*
Beaver	2,730	.....	.....	95	25
Boxelder	2,405	10,995	372	1,469	.....
Cache	29,001	318	.....	10,895	40
Davis	8,114	13,913	1,928	12,146	100
Emery	150	100	50	50	.....
Garfield	1,110	225	.....	141	.....
Grand	810	19,935	225	685	.....
Iron	5,872	540	.....	107	.....
Juab	17,391	950	100	540	85
Kane	330	240	.....	200	80
Millard	48,206	17,518	125	5,272	116
Salt Lake	15,040	3,891	1,608	5,224	902
San Juan	.....	13,460	300	350	.....
Sanpete	7,126	.....	.....	121	.....
Tooele	19,955	40,840	4,500	3,350	80
Utah	129,742	67,811	24,698	28,894	1,951
Washington	15,133	165,980	11,702	5,880	500
Wayne	.....	975	.....	150	.....
Weber	34,025	17,755	4,750	21,930	2,000
Total	337,140	375,446	50,358	97,499	5,879

SUNDRY PRODUCTS.

CIDER, VINEGAR, SORGHUM, BUTTER, CHEESE, HIVES OF BEES, AND HONEY.

Counties.	Cider.	Vinegar.	Sorghum.	Butter.	Cheese.	Hives of bees.	Honey.
	Gallons.	*Gallons*	*Gallons.*	*Pounds.*	*Pounds.*	*Number.*	*Pounds.*
Beaver	245	302	.....	67,075	1,556	31	1,450
Boxelder	250	370	2,722	94,140	11,007	500	16,376
Cache	2,763	2,706	3,854	509,329	492,798	2,993	67,908
Carbon	.....	.....	.....	26,418	.....	426	38,080
Davis	1,165	2,667	8,412	162,424	1,414	2,173	25,690
Emery	.....	277	395	62,745	721	1,367	107,655
Garfield	18	181	118	23,627	37,769	68	3,769
Grand	.....	580	243	18,055	.....	450	17,500
Iron	245	166	.....	33,514	28,720	974	49,931
Juab	1,128	1,022	14,059	58,461	346	942	31,045
Kane	.....	275	580	15,220	2,720	203	1,080
Millard	2,543	391	11,095	93,261	73,492	504	14,037
Morgan	.....	.....	.....	31,036	35,146	296	2,685
Piute	.....	.....	.....	23,600	60,352	57	1,390
Rich	.....	18	.....	54,393	3,059	10	270
Salt Lake	14,175	3,895	3,815	299,662	3,965	1,544	73,240
San Juan	.....	.....	385	5,255	.....	52	5,300
Sanpete	1,291	1,387	74	212,532	8,180	2,159	61,220
Sevier	.....	.....	.....	98,800	22,000	1,860	186,000
Summit	.....	.....	.....	169,535	12,374	.....	.....
Tooele	450	560	1,604	128,680	515	409	27,780
Uinta	.....	523	198	45,634	75	1,779	74,037
Utah	36,925	7,483	12,834	625,329	10,555	6,385	221,212
Wasatch	.....	.....	.....	119,720	1,205	151	10,200
Washington	25	333	18,898	35,932	1,000	593	18,606
Wayne	.....	403	3,935	19,239	10,940	156	4,775
Weber	7,875	6,910	6,980	408,086	838	2,375	40,885
Total	69,098	31,049	90,201	3,441,732	820,747	28,517	1,102,121

MISCELLANEOUS PRODUCTS.

NOT OTHERWISE SPECIFIED.

Statement showing acreage, total weight and value of product, and amount sold in 1894

Counties.	Acreage in 1894.	Total product.	Value of product.	Amount sold.
		Tons.		*Tons.*
Beaver	179	201.19	$8,385	20
Boxelder	124	835.85	6,835	301.3
Cache	834	434.48	6,195	76.66
Davis	572	2,540.3	25,686	1,216.8
Emery	14	10.5	256	.....
Garfield	10	1	1,514	.....
Grand	84	43	3,785	26.25
Iron	.....	3.23	129	.25
Juab	700	93	5,975	43.78
Kane	20	3.61	374	.....
Millard	279	698.16	6,500	17.07
Salt Lake	171	295.81	10,483	105.25
Sanpete	(a)	(a)	1,835	.....
Tooele	32	225.4	4,357	.....
Uinta	2	8.9	390	.65
Utah	721	499.96	24,231	1.04
Wasatch	27	(b)	3,030	.....
Washington	180	(b)	13,987	.....
Wayne	3	6.5	65	.....
Weber	849	4,611	53,780	1,643.3
Total	4,801	10,506	177,792	3,452

a Acreage and total product not reported. b Not reported.

LIVE STOCK.

Showing number of milch cows and other cattle, horses, swine over six months old, mules, asses, and goats, reported January 1, 1895.

Counties.	Milch cows.	Other cattle.	Horses.	Swine over six months old.	Mules.	Asses.	Goats.
Beaver	1,459	12,878	2,937	1,665	75	2	.....
Boxelder	1,985	8,252	4,292	1,043	.....	.....	.....
Cache	7,194	9,824	8,888	7,633	68	5	1
Carbon	621	6,369	973	249	71	2	15
Davis	2,462	3,376	3,571	2,239	23	4	1
Emery	1,736	4,234	2,829	1,560	39	29	770
Garfield	2,567	7,320	2,801	808	64	23	.....
Grand	348	15,516	1,638	273	34	151	4
Iron	1,727	5,255	2,398	668	23	16	8
Juab	974	5,966	2,778	1,255	37	43	139
Kane	553	15,231	2,793	279	28	7	1,450
Millard	2,282	22,431	7,736	2,646	90	323	9
Morgan	993	2,838	1,189	796	.....	.....	.....
Piute	1,306	3,306	1,361	267	31	20	.....
Rich	1,359	9,757	2,767	609	61	.....	.....
Salt Lake	4,624	2,969	5,371	2,989	72	24	12
San Juan	186	23,676	1,574	137	16	53	27
Sanpete	4,638	11,260	5,863	4,238	172	13	35
Sevier	2,563	7,447	4,032	3,430	34	23	31
Summit	3,030	6,817	3,189	1,160	27	2	15
Tooele	1,257	3,306	3,874	744	147	25	425
Uinta	1,427	4,159	3,989	1,644	30	5	1
Utah	7,440	19,816	11,077	4,373	90	25	9
Wasatch	1,682	4,941	2,948	1,046	35	.....	7
Washington	1,151	15,700	2,645	761	6	25	.....
Wayne	960	2,560	1,719	625	21	7	1
Weber	4,062	3,770	4,663	4,566	14	8	6
Total	60,595	238,974	99,895	47,703	1,368	835	2,966

SHEEP AND WOOL.

Showing the number and value of sheep, with the amount and value of wool produced in 1894, together with the average value of wool in 1893 and 1894.

Counties.	Sheep.		Wool.			
	Number.	Value.	Total product.	Value of product.	Value per pound in 1893.	Value per pound in 1894.
			Pounds.			
Beaver	65,848	$65,848	384,265	$26,889	$0.12	$0.07
Boxelder	35,797	62,644	230,680	18,454	.08	.08
Cache	20,644	25,805	29,666	2,633	.08	.08⅞
Carbon	98,011	122,514	676,488	33,824	.10	.05
Davis	99,771	166,285	182,022	14,562	.07	.08
Emery	36,061	63,106	191,713	15,378	.08	.07½
Garfield	77,404	96,755	397,500	23,850	.07	.06
Grand	46,300	57,875	360,900	23,458	.12	.06½
Iron	106,795	160,193	364,103	23,667	.06½	.06½
Juab	247,716	433,403	797,362	63,789	.07	.08
Kane	63,982	89,575	325,000	26,000	.08½	.08
Millard	93,311	139,966	467,331	33,881	.11½	.07½
Morgan	8,988	15,729	40,948	2,866	.08	.07
Piute	30,236	45,354	176,480	10,589	.09	.06
Rich	12,537	18,805	43,777	3,283	.....	.07½
Salt Lake	338,171	507,256	1,826,943	137,020	.....	.07½
San Juan	24,600	30,750	52,500	3,412	.08	.06½
Sanpete	414,331	725,080	2,044,754	143,133	.08	.07
Sevier	87,300	130,950	406,500	24,390	.12	.06
Summit	17,666	35,332	58,875	4,121	.11	.07
Tooele	182,149	318,760	1,549,390	116,204	.08	.07½
Uinta	25,295	37,942	148,454	8,907	.06	.06
Utah	179,147	179,147	866,255	71,466	.11½	.08½
Wasatch	21,708	32,562	80,642	6,048	.06½	.07½
Washington	20,599	25,749	110,175	5,509	.06	.05
Wayne	17,904	31,332	56,592	3,396	.08	.06
Weber	50,531	68,217	250,448	17,531	.10	.07
Total	2,422,802	3,686,934	12,119,763	864,270	.....	.....

INDUSTRIAL AND COMMERCIAL.

Showing the number of industrial concerns in operation during 1894, together with capital, labor, and power employed, cost of labor and material, and value of plant and product.

Counties.	Number of industrial concerns.	Horse-power employed.	Number of laborers employed.	Wages paid.	Capital invested.	Value of plant.	Value of raw material.	Value of product.
Beaver	18	167	76	$18,192	$52,370	$49,385	$32,647	$67,824
Boxelder	3	205	21	5,785	50,000	45,000	18,062	(a)
Cache	36	814	161	47,576	319,750	275,492	302,800	424,093
Carbon	23	.....	46	10,110	26,100	19,415	12,625	53,050
Davis	21	300	115	34,296	115,532	78,338	69,254	141,287
Emery	10	139	34	7,415	31,000	30,800	4,950	33,660
Garfield	22	135	54	27,285	6,455	6,085	7,440	32,735
Iron	13	78	37	4,753	6,000	16,960	14,186	22,573
Juab	23	289	80	27,215	152,915	169,315	86,015	147,970
Kane	9	73	25	6,100	3,150	7,350	3,850	12,900
Millard	12	185	79	35,735	47,650	42,400	30,287	51,212
Morgan	1	.....	2	1,200	.....	.....	.....	.....
Piute	1	40	2	500	10,000	7,500	8,156	(a)
Rich	6	114	28	5,500	14,550	9,550	13,525	42,750
Salt Lake	372	4,745	2,687	1,289,763	2,662,437	2,662,427	1,043,111	4,055,977
San Juan	1	20	5	1,200	1,000	1,500	(a)	(a)
Sanpete	90	1,056	468	80,869	116,097	154,998	166,021	255,686
Sevier	11	134	44	7,850	33,600	32,200	54,400	66,850
Summit	38	482	115	62,800	187,618	100,558	(a)	(a)
Tooele	18	45	29	9,160	44,700	35,350	74,900	(a)
Uinta	6	120	43	12,430	53,400	35,300	19,600	39,730
Utah	39	1,554	464	148,615	779,660	997,960	452,844	588,318
Wasatch	2	75	3	2,000	18,000	18,000	25,000	(a)
Washington	10	52	59	22,000	50,650	47,750	32,850	62,900
Wayne	1	40	12	1,500	1,800	1,800	(a)	4,000
Weber	94	388	365	157,269	691,812	1,149,787	167,915	448,076
Total	880	11,280	5,054	2,027,118	5,476,246	5,986,215	2,610,038	6,678,118

a Not reported.

COMMERCIAL STATISTICS.

Showing the number of stores doing business in 1894, together with capital invested, total sales, number of employees, and wages paid.

Counties.	Number of stores.	Capital invested.	Sales.	Number of employees.	Wages paid.
Beaver	30	$169,400	$254,657	32	$14,880
Boxelder	46	302,366	399,800	53	26,405
Cache	82	688,725	941,055	186	89,095
Carbon	14	186,025	332,787	42	23,271
Davis	32	217,058	289,707	53	24,390
Emery	15	23,350	69,800	21	5,762
Garfield	10	40,794	42,377	12	4,490
Grand	4	4,500	12,000	2	1,500
Iron	18	42,724	119,279	19	4,900
Juab	71	338,768	827,495	129	73,556
Kane	6	33,800	63,900	10	5,100
Millard	24	67,431	159,600	27	9,340
Morgan	10	54,700	74,400	18	7,900
Piute	10	15,850	31,000	6	1,345
Rich	7	11,300	35,900	9	3,635
Salt Lake	843	7,803,694	19,241,244	2,721	1,649,379
San Juan	7	10,850	38,500	11	2,660
Sanpete	88	261,863	759,021	115	41,669
Sevier	52	125,902	239,000	48	14,510
Summit	100	584,775	1,136,176	207	142,789
Tooele	31	82,975	184,400	40	18,380
Uinta	7	49,124	78,000	15	9,440
Utah	166	1,042,855	1,784,697	383	179,831
Wasatch	17	87,725	115,600	23	11,900
Washington	21	69,340	96,700	26	6,845
Wayne	1	13,200	30,500	5	1,850
Weber	262	2,222,251	5,508,014	810	440,472
Total	1,974	14,551,345	32,865,611	5,023	2,885,794

BANK STATEMENT.

Statements have been received from the following-named banks showing the condition of their business June 30, 1895, as follows:

Name.	Capital.		Deposits.	
	1894.	1895.	1894.	1895.
Bank of Brigham City	$30,000	$30,000	$56,000	$60,000
Bank of Spanish Fork	25,000	25,000	17,000	18,148
Corinne: J. W. Guthrie	50,000	50,000	18,000	21,000
Farmington: Davis County Bank	25,000	25,000	8,352	10,872
Kaysville: Barnes Banking Co	25,000	25,000	52,000	62,415
Lehi Commercial and Savings Bank	50,000	50,000	30,000	37,663
Thatcher Bros. Banking Co	150,000	150,000	125,421	130,397
Manti City Savings Bank	50,000	50,000	71,822	95,408
Mount Pleasant Commercial and Savings Bank	50,000	50,000	38,966	41,000
Nephi:				
Savings Bank and Trust Co	50,000	50,000	28,000	6,516
First National Bank	50,000	50,000	50,000	55,000
Ogden:				
Utah Loan and Trust Co.'s Bank	200,000	200,000	154,000	200,000
State Bank	125,000	125,000	150,000	135,560
Commercial National Bank	150,000	150,000	80,000	87,000
First National Bank	150,000	150,000	250,987	250,000
Utah National Bank	100,000	100,000	200,000	210,000
Ogden Savings Bank	75,000	75,000	212,975	232,724
Park City: First National Bank	50,000	50,000	111,129	111,129
Payson Exchange and Savings Bank	31,800	31,800	16,436	33,501
Provo:				
Commercial and Savings Bank	75,000	75,000	67,846	104,644
First National Bank	50,000	50,000	28,725	30,000
Utah County Savings Bank	50,000	50,000	24,000	12,656
Richfield: James M. Peterson	.....	.....	.....	.....
Springville Banking Co	50,000	50,000	18,200	25,200
Salt Lake City:				
Bank of Salt Lake	100,000	100,090	316,467	320,000
Commercial National Bank	300,000	300,000	309,037	450,000
Deseret National Bank	500,000	500,000	1,000,000	1,250,009
National Bank of the Republic	500,000	500,000	350,000	400,000
Walker Bros. Bank	.....	.....	842,643	1,000,000
Bank of Commerce	100,000	100,000	125,000	264,327
State Bank of Utah	500,000	500,000	350,000	345,093
Deseret Savings Bank	100,000	100,000	506,981	526,981
Zion's Savings Bank and Trust Co	400,000	400,000	926,346	1,070,259
Salt Lake Valley Loan and Trust Co	300,000	300,000	.....	.....
Utah Title Insurance and Trust Co. Savings Bank	150,000	150,000	117,042	137,798
Wells, Fargo & Co. (branch)	.....	.....	1,343,694	1,400,694
McCormick & Co	.....	.....	800,000	.....
Utah Commercial and Savings Bank	200,000	200,000	248,000	283,282
Utah National Bank	200,000	200,000	221,500	270,000
Total	5,011,800	5,011,890	9,266,569	9,689,267

THE RAILROAD SYSTEM OF UTAH.

Statement showing termini, mileage, and gauge of roads in operation June 30, 1895.

Road.	From—	To—	Miles of line.	
			Gauge, 4 feet 8½ inches.	Gauge, 3 feet.
Rio Grande Western:				
Main line in Utah	Ogden	Colorado line	294.1	
Bingham branch	Bingham Junction	Bingham	14.15	
Alta branch	do	Wasatch	10.06	
Sanpete branch	Thistle Junction	Manti	60.8	
Sevier Railway (leased)	Manti	Salina	25.7	
Tintic Railway (leased)	Springville Junction.	Silver City	48	
Coal Mine branch	Pleasant Valley	Coal Mine	17.5	
Lake Park spur			1.5	
Utah Central Coal Mine spur			1.8	
Diamond spur			1.4	
Lawrence Quarry spur			.45	
Jennings spur			2.73	
Union Stock Yards spur			1.08	
Copper Plant spur			.87	
Silver City spur			.67	
Mammoth Sampler spur			1.17	
Mammoth Mill spur			1.02	
Gemini Mine spur			1.17	
Eureka Hill spur			.24	
Bullion Beck spur			.38	
Bingham Tramway				3.5
Alta Tramway				7.8
Total			484.79	11.30
Central Pacific in Utah, Ogden main line.	Ogden	Nevada line	157	
Ogden Union Railway and Depot Co.			8.5	
Utah Central:				
Main line	Salt Lake City	Fort Douglas		7.55
Do	do	Park City		31
Do	do	Mill Creek		3
Total			165.5	41.55
Union Pacific:				
Main line in Utah	Ogden	Wyoming	73	
Do	do	Frisco	280	
Salt Lake and Western	Lehi City	Eureka	63	
Echo and Park City	Echo	Park City	31	
Utah and Northern	Ogden	Idaho line	96.3	
Utah and Nevada	Salt Lake City	Terminus		37
Total			543.3	37
Sanpete Valley	Nephi	Manti		60¼
Great Salt Lake and Hot Springs	Salt Lake City	Farmington	15.4	
Branch line	Stockdale	Simkins	2	
Total			17.4	
Salt Lake and Los Angeles	Salt Lake City	Salt Air	15	

Street railroad system.

Location.	Electric.	Steam motor.
	Miles.	*Miles.*
Salt Lake	68	
Ogden	10	
Ogden (Utah) Hot Springs Railway (from Ogden to Hot Springs)	6	
Provo		6
Total	84	6

MINING INDUSTRY

COAL.

Showing the number of patented and unpatented mines, number of employees and wages paid, and output in tons in 1894, together with cost of plant.

Counties.	Patented.	Unpatented.	Number of employees.	Wages paid.	Output.	Cost of plant.	Cost of development work.
					Tons.		
Carbon	1	1	72	$37,000	58,238	$22,988	.....
Iron	1	4	7	800	293	.....	$1,000
Sanpete	2	3	60	21,975	3,570	23,720	42,600
Total	4	8	139	59,775	62,101	46,708	43,600

GOLD AND SILVER.

Showing the number of patented and unpatented mines, number of employees and wages paid, output in tons, and value in 1894, together with the cost of plant and development of work.

Counties.	Patented.	Unpatented.	Average number of employees.	Wages paid.	Output.	Value of output.	Cost of plant.	Cost of development work.
					Tons.			
Beaver	5	6	207	$154,130	11,928	$215,335	$193,600	$226,763
Grand	.....	18	.....	.....	20	1,500	.....	11,500
Iron	.....	1	1	200	35	400	.....	600
Juab	9	8	403	404,255	43,996	1,178,783	539,400	130,800
Millard	.....	1	35	36,590	500	10,000	5,000	10,000
Morgan	.....	1	.....	.....	.....	.....	.....	60,000
Piute	3	5	43	18,223	450	4,000	38,000	58,000
Salt Lake	169	207	433	340,253	39,125	442,649	790,920	5,101,853
San Juan	2	12	36	13,500	.....	6,000	3,700	19,950
Summit	50	8	1,149	1,615,597	106,368	2,016,000	2,774,142	2,275,620
Tooele	32	8	217	223,659	48,922	404,425	247,425	96,100
Washington	1	.....	10	3,500	580	10,514	.....	.....
Total	271	275	2,534	2,789,817	251,924	4,289,606	4,592,606	7,991,186

Statement of the mineral product of Utah for the year 1894.

[Furnished by J. E. Dooley, esq., cashier for Wells, Fargo & Co.]

Producers.	Copper.	Refined lead.	Unrefined lead.	Silver in bars.	Silver in base bullion and ores.	Gold in bars.	Gold in bullion and ores.
	Pounds.	*Pounds.*	*Pounds.*	*Ounces.*	*Ounces.*	*Ounces.*	*Ounces.*
Germania Lead Works	314,626	202,500	14,458,775	.....	1,358,374	.....	8,127
Hanauer Smelting Works	490,000	.....	7,175,200	.....	723,550	.....	3,860
Pennsylvania Smelting Co	162,500	.....	12,851,850	.....	1,108,508	.....	14,350
Daly Mining Co	.....	.....	.....	700,000	4,606	630	4
Ontario Mining Co	.....	.....	692,598	1,250,000	85,828	1,160	93
Mercur district	.....	.....	.....	.....	.....	16,014	.....
Silver Reef district	37,234	.....	.....	15,802	430	.....	.....
Other mines and placers	61,800	.....	.....	.....	.....	7,882	.....
Net product, bars and base bullion	1,066,160	202,500	35,178,423	1,965,802	3,281,296	25,626	26,434
Contents ore shipped	.....	.....	20,373,240	.....	1,412,700	.....	4,367
Total	1,066,160	202,500	55,551,663	1,965,802	4,693,996	25,626	30,801

Statement of the mineral product of Utah for the year 1894—Continued.

RECAPITULATION.

1,066,160 pounds copper, at 5 cents per pound	$53,308.00
202,500 pounds refined lead, at $3.11 per 100 pounds	62,977.50
55,551,663 pounds unrefined lead, at $32 per ton	888,826.60
6,659,798 ounces fine silver, at 62 $\frac{21}{100}$ cents per ounce	4,193,674.80
56,427 ounces fine gold, at $20 per ounce	1,128,540.00
Total export value	6,327,326.90

Computing the gold and silver at their mint valuation, and other metals at their value at the seaboard, it would increase the value of the product to $11,631,402.72.

Comparative statement showing the quantity of silver and gold contained in base bullion and ores produced in Utah.

Year.	Total silver produced.	Total gold produced.	Silver in ores and base bullion.	Gold in ores and base bullion.	Total silver product.	Total gold product.
	Ounces.	*Ounces.*	*Ounces.*	*Ounces.*	*Per cent.*	*Per cent.*
1877	4,359,703	17,325	2,102,098	11,085	48.2	63.6
1878	4,357,328	15,040	2,108,359	10,165	48.3	67.5
1879	3,835,047	15,982	1,797,589	5,693	46.8	35.7
1880	3,783,566	8,020	1,403,819	2,878	37.1	35.8
1881	5,400,191	7,958	2,643,899	2,622	48.9	32.9
1882	5,435,444	9,689	2,581,789	5,016	47.3	55.5
1883	4,531,763	6,991	2,351,190	5,597	51.8	80
1884	5,669,488	5,530	3,253,984	3,806	57.4	68.8
1885	5,972,689	8,903	3,189,576	7,289	53.4	81.8
1886	5,918,842	10,577	2,838,263	8,369	47.9	79.1
1887	6,161,737	11,387	5,049,273	10,714	65.7	94
1888	6,178,855	13,886	3,982,217	12,854	64.4	92.6
1889	7,147,651	24,975	5,270,250	24,236	73.7	97
1890	8,165,586	33,851	6,082,825	29,555	74.4	87.3
1891	8,015,223	36,160	6,616,198	31,240	74.2	86.4
1892	8,969,656	38,182	7,379,246	37,081	82.2	99.8
1893	7,107,503	54,072	5,700,591	35,816	80.2	66.3
1894	6,659,798	56,427	4,693,996	30,801	70.4	54.5

Comparative statement of the value of lead bullion, including gold and silver necessarily produced in its manufacture, west of the Missouri River.

[Compiled from the annual reports issued by John J. Valentine, President Wells, Fargo & Co., San Francisco.]

Year.	Total value of precious metals, including lead.	Total value of lead bullion, including gold and silver contents.	Per cent of entire product.
1878	$81,154,622	$14,740,581	13.1
1879	75,349,501	19,234,394	25.5
1880	80,167,936	28,114,594	35
1881	84,504,417	30,253,430	35.8
1882	92,411,835	35,798,750	38.7
1883	90,313,612	34,810,022	38.5
1884	84,975,954	31,191,250	36.7
1885	90,181,260	35,731,711	39.6
1886	103,011,761	44,635,655	43.3
1887	104,645,959	41,595,853	39.7
1888	114,341,592	38,004,826	33.2
1889	129,677,836	42,878,063	33.5
1890	127,166,410	46,852,367	36.8
1891	118,237,441	39,106,577	33
1892	111,531,700	41,975,610	37.6
1893	104,081,591	40,217,465	38.6
1894	.....	.....	.....

LABOR.

Abundant crops, increased activity in prospecting and mining, and a decided improvement in all industrial and commercial affairs have greatly changed for the better, over the previous year, the condition of our laboring classes. The Territory is well supplied with both skilled and unskilled laborers to meet the demand.

STATEHOOD.

In pursuance of the enabling act of Congress, approved July 16, 1894, the constitutional convention assembled in this city in the county and city building on the 4th day of March of the present year, continuing in session until the 8th day of May. It framed a constitution which will be submitted to the qualified voters for adoption or rejection at an election to be held on the 5th day of next November.

A copy of the constitution is furnished herewith as an appendix to this report. Upon its adoption by the people, of which there can be but little doubt, it will go to the President for his action.

It should be, and I trust is, a matter of infinite satisfaction to the whole country, as it is to the people of this Territory, that the movement begun in 1886 to obliterate the divisions, remove the bitterness, and heal the strife existing in Utah, which had so long prevented its admission as a State, are about to be consummated in the entrance of Utah into the Union as a great and prosperous State, with a homogeneous, thriving, contented, peaceful, and happy people.

By reference to the constitution it will be observed that the convention used the power conferred upon it by the enabling act, and provided that at the same election at which the constitution is to be voted upon State officers, a Member of Congress, and a legislature empowered to elect Senators should be elected.

Entertaining no doubt of the favorable action of both the people and the President upon the constitution, I have refrained from making any suggestions as to legislation, believing that efforts and recommendations to that end should be left to the chosen servants of the people—the newly elected officers of the State.

Very respectfully, your obedient servant,

CALEB W. WEST.

The SECRETARY OF THE INTERIOR,
Washington, D. C.

APPENDIX.

CONSTITUTION OF THE STATE OF UTAH.

(As framed by the constitutional convention held in Salt Lake City, Utah, from March 4 to May 8, 1895.)

ADDRESS TO THE PEOPLE OF UTAH.

The convention assembled to frame a constitution for the proposed State of Utah after two months of earnest effort present the result of their labors for the consideration of the people of this Territory.

The ruling thought that actuated the convention, from opening to close, was that under the direction and mandates of the enabling act a constitution must be framed that would secure to the people of Utah a wise, just, and economical State government.

In this we believe we have succeeded, and we confidently submit to our fellow-citizens the fruit of our deliberations, knowing that they will bear in mind the impossibility of our presenting any instrument that would not contain imperfections, inasmuch as the more than one hundred delegates who constructed it came together understanding little of each other, all more or less influenced by local ideas and by impressions which the peculiar situation of this Territory for years past could not help but create and intensify. Nevertheless, it has been gratifying to note that there has been less partisan feeling and more unselfish unanimity of sentiment in this convention than in any other political body of like character.

The inspiration behind the declaration of rights came from the great parent Bill of Rights framed by the fathers of our country.

The article on the proposed educational system has absorbed the best thoughts and efforts of the convention, and draws around the public schools such protection and defense as will secure for them, it is believed, the steady upward progress which is the enthusiastic desire of this people.

The legislative article, while permitting future lawmakers to perform any needed thing, circumscribes their powers in a way to prevent either extravagance or the misuse of legislative authority.

The executive article defines clearly the prerogatives and powers of the several State officers, places all necessary authority in the hands of the executive, and at the same time supplies all needed checks to prevent usurpation of power.

The judiciary article makes possible the conducting of the courts effectively by competent judges. It seeks to exalt the judiciary, and yet brings the system within a reasonable expenditure of the people's money. The probate system has been abolished, but power is given the legislature to restore it, if deemed necessary, or to adopt any other plan that may be wise or expedient.

The salaries of all officials have been marked down close to the danger line of extravagant economy.

We have provided to give equal suffrage to women.

We have inhibited for all time polygamous or plural marriages.

We have placed within safe limits the maximum of future taxation.

We have guarded against the possibility of any future great indebtedness of the State.

We have provided for the full development of our manifold industries in such a way that in their expansion they will not feel any harsh friction from unjust laws.

We have provided for the correction of possible defects in the constitution, either by amendments or by the enactment of statutes.

We have guaranteed perfect liberty of speech, freedom to the press, and absolute freedom of conscience.

We recommend our work to the gracious and generous consideration of the men and women of Utah, believing they will esteem it a fitting foundation on which to rear the structure of a glorified State.

If with statehood there will be a slight increase in taxes, the compensating advantages will cause the increased expense to be forgotten. We will be able to utilize the magnificent gift of over 7,000,000 acres of land from our generous Government; we will be able to secure capital for our mines; under the shield of statehood thousands of people will seek homes in our climate, assist to develop our wondrous and varied resources, and rejoice in the manifold blessings bestowed by nature upon our highly favored Commonwealth.

When we reflect that this instrument will secure to us in its highest sense local self-government, with State officers of our own selection, and courts for the swift, capable, and economical administration of the laws by judges of the people's choosing; that it will give us a school system abreast of the foremost in the Union, with power to utilize the lands donated to our educational institutions; give us a voice in the election of Presidents, also two Senators and one Representative to present the claims of our new State in the Congress of the nation; add the star of Utah to the hallowed ensign of the Republic, bestow upon us full sovereignty with all that this majestic term implies, and thus draw to us capital and population and invest us with a dignity that can never attach to a Territorial condition, with steadily swelling confidence we submit this constitution to the consideration of the people of Utah, in a certain belief that they will, by an overwhelming majority, indorse and ratify our work.

PREAMBLE.

Grateful to Almighty God for life and liberty, we, the people of Utah, in order to secure and perpetuate the principles of free government, do ordain and establish this

CONSTITUTION.

ARTICLE I.

DECLARATION OF RIGHTS.

SECTION 1. All men have the inherent and inalienable right to enjoy and defend their lives and liberties; to acquire, possess, and protect property; to worship according to the dictates of their consciences; to assemble peaceably, protest against wrongs, and petition for redress of grievances; to communicate freely their thoughts and opinions, being responsible for the abuse of that right.

SEC. 2. All political power is inherent in the people, and all free governments are founded on their authority for their equal protection and benefit, and they have the right to alter or reform their government as the public welfare may require.

SEC. 3. The State of Utah is an inseparable part of the Federal Union, and the Constitution of the United States is the supreme law of the land.

SEC. 4. The rights of conscience shall never be infringed. The State shall make no law respecting an establishment of religion or prohibiting the free exercise thereof; no religious test shall be required as a qualification for any office of public trust or for any vote at any election, nor shall any person be incompetent as a witness or juror on account of religious belief or the absence thereof. There shall be no union of church and state, nor shall any church dominate the State or interfere with its functions. No public money or property shall be appropriated for or applied to any religious worship, exercise, or instruction, or for the support of any ecclesiastical establishment. No property qualification shall be required of any person to vote or hold office, except as provided in this constitution.

SEC. 5. The privilege of the writ of habeas corpus shall not be suspended unless, in case of rebellion or invasion, the public safety requires it.

SEC. 6. The people have the right to bear arms for their security and defense, but the legislature may regulate the exercise of this right by law.

SEC. 7. No person shall be deprived of life, liberty, or property without due process of law.

SEC. 8. All prisoners shall be bailable by sufficient sureties, except for capital offenses when the proof is evident or the presumption strong.

SEC. 9. Excessive bail shall not be required; excessive fines shall not be imposed; nor shall cruel and unusual punishments be inflicted. Persons arrested or imprisoned shall not be treated with unnecessary rigor.

SEC. 10. In capital cases the right of trial by jury shall remain inviolate. In courts of general jurisdiction, except in capital cases, a jury shall consist of eight jurors. In courts of inferior jurisdiction a jury shall consist of four jurors. In criminal cases the verdict shall be unanimous. In civil cases three-fourths of the jurors may find a verdict. A jury in civil cases shall be waived unless demanded.

SEC. 11. All courts shall be open, and every person, for an injury done to him in his person, property, or reputation, shall have remedy by due course of law, which shall be administered without denial or unnecessary delay; and no person shall be barred from prosecuting or defending before any tribunal in this State, by himself or counsel, any civil cause to which he is a party.

SEC. 12. In criminal prosecutions the accused shall have the right to appear and defend in person and by counsel, to demand the nature and cause of the accusation against him, to have a copy thereof, to testify in his own behalf, to be confronted by the witnesses against him, to have compulsory process to compel the attendance of witnesses in his own behalf, to have a speedy public trial by an impartial jury of the county or district in which the offense is alleged to have been committed, and the right to appeal in all cases. In no instance shall any accused person, before final judgment, be compelled to advance money or fees to secure the rights herein guaranteed. The accused shall not be compelled to give evidence against himself; a wife shall not be compelled to testify against her husband, nor a husband against his wife, nor shall any person be twice put in jeopardy for the same offense.

SEC. 13. Offenses heretofore required to be prosecuted by indictment shall be prosecuted by information after examination and commitment by a magistrate, unless the examination be waived by the accused with the consent of the State, or by indictment, with or without such examination and commitment. The grand jury shall consist of seven persons, five of whom must concur to find an indictment; but no grand jury shall be drawn or summoned unless, in the opinion of the judge of the district, public interest demands it.

SEC. 14. The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures shall not be violated; and no warrant shall issue but upon probable cause supported by oath or affirmation, particularly describing the place to be searched and the person or thing to be seized.

SEC. 15. No law shall be passed to abridge or restrain the freedom of speech or of the press. In all criminal prosecutions for libel the truth may be given in evidence to the jury; and if it shall appear to the jury that the matter charged as libelous is true, and was published with good motives, and for justifiable ends, the party shall be acquitted, and the jury shall have the right to determine the law and the fact.

SEC. 16. There shall be no imprisonment for debt, except in cases of absconding debtors.

SEC. 17. All elections shall be free, and no power, civil or military, shall at any time interfere to prevent the free exercise of the right of suffrage. Soldiers in time of war may vote at their post of duty, in or out of the State, under regulations to be prescribed by law.

SEC. 18. No bill of attainder, ex post facto law, or law impairing the obligation of contracts shall be passed.

SEC. 19. Treason against the State shall consist only in levying war against it, or in adhering to its enemies, or in giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act.

SEC. 20. The military shall be in strict subordination to the civil power, and no soldier in time of peace shall be quartered in any house without the consent of the owner; nor in time of war, except in a manner to be prescribed by law.

SEC. 21. Neither slavery nor involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall exist within this State.

SEC. 22. Private property shall not be taken or damaged for public use without just compensation.

SEC. 23. No law shall be passed granting irrevocably any franchise, privilege, or immunity.

SEC. 24. All laws of a general nature shall have uniform operation.

SEC. 25. This enumeration of rights shall not be construed to impair or deny others retained by the people.

SEC. 26. The provisions of this constitution are mandatory and prohibitory, unless by express words they are declared to be otherwise.

SEC. 27. Frequent recurrence to fundamental principles is essential to the security of individual rights and the perpetuity of free government.

ARTICLE II.

STATE BOUNDARIES.

SECTION 1. The boundaries of the State of Utah shall be as follows:

Beginning at a point formed by the intersection of the thirty-second degree of longitude west from Washington with the thirty-seventh degree of north latitude; thence due west along said thirty-seventh degree of north latitude to the intersection of the same with the thirty-seventh degree of longitude west from Washington; thence due north along said thirty-seventh degree of west longitude to the intersection of the same with the forty-second degree of north latitude; thence due east along said forty-second degree of north latitude to the intersection of the same with the thirty-fourth degree of longitude west from Washington; thence due south along said thirty-fourth degree of west longitude to the intersection of the same with the forty-first degree of north latitude; thence due east along said forty-first degree of north latitude to the intersection of the same with the thirty-second degree of longitude west from Washington; thence due south along said thirty-second degree of west longitude to the place of beginning.

ARTICLE III.

ORDINANCE.

The following ordinance shall be irrevocable without the consent of the United States and the people of this State:

First. Perfect toleration of religious sentiment is guaranteed. No inhabitant of this State shall ever be molested in person or property on account of his or her mode of religious worship; but polygamous or plural marriages are forever prohibited.

Second. The people inhabiting this State do affirm and declare that they forever disclaim all right and title to the unappropriated public lands lying within the boundaries hereof, and to all lands lying within said limits owned or held by any Indian or Indian tribes, and that until the title thereto shall have been extinguished by the United States the same shall be and remain subject to the disposition of the United States, and said Indian lands shall remain under the absolute jurisdiction and control of the Congress of the United States. The lands belonging to citizens of the United States residing without this State shall never be taxed at a higher rate than the lands belonging to residents of this State; nor shall taxes be imposed by this State on lands or property herein belonging to or which may hereafter be purchased by the United States or reserved for its use; but nothing in this ordinance shall preclude this State from taxing, as other lands are taxed, any lands owned or held by any Indian who has severed his tribal relations and has obtained from the United States or from any person, by patent or other grant, a title thereto, save and except such lands as have been or may be granted to any Indian or Indians under any act of Congress containing a provision exempting the land thus granted from taxation, which last-mentioned lands shall be exempt from taxation so long, and to such extent, as is or may be provided in the act of Congress granting the same.

Third. All debts and liabilities of the Territory of Utah, incurred by authority of the legislative assembly thereof, are hereby assumed and shall be paid by this State.

Fourth. The legislature shall make laws for the establishment and maintenance of a system of public schools, which shall be open to all the children of the State and be free from sectarian control.

ARTICLE IV.

ELECTIONS AND RIGHT OF SUFFRAGE.

SECTION 1. The rights of citizens of the State of Utah to vote and hold office shall not be denied or abridged on account of sex. Both male and female citizens of this State shall enjoy equally all civil, political, and religious rights and privileges.

SEC. 2. Every citizen of the United States of the age of 21 years and upward, who shall have been a citizen for ninety days, and shall have resided in the State or Territory one year, in the county four months, and in the precinct sixty days next preceding any election, shall be entitled to vote at such election except as herein otherwise provided.

SEC. 3. In all cases except those of treason, felony, or breach of the peace, electors shall be privileged from arrest on the days of election, during their attendance at elections, and going to and returning therefrom.

SEC. 4. No elector shall be obliged to perform militia duty on the day of election except in time of war or public danger.

SEC. 5. No person shall be deemed a qualified elector of this State unless such person be a citizen of the United States.

SEC. 6. No idiot, insane person, or person convicted of treason or crime against the elective franchise, unless restored to civil rights, shall be permitted to vote at any election or be eligible to hold office in this State.

SEC. 7. Except in elections levying a special tax or creating indebtedness, no property qualification shall be required for any person to vote or hold office.

SEC. 8. All elections shall be by secret ballot. Nothing in this section shall be construed to prevent the use of any machine or mechanical contrivance for the purpose of receiving and registering the votes cast at any election: *Provided*, That secrecy in voting be preserved.

SEC. 9. All general elections, except for municipal and school officers, shall be held on the Tuesday next following the first Monday in November of the year in which the election is held. Special elections may be held as provided by law. The terms of all officers elected at any general election shall commence on the first Monday in January next following the date of their election. Municipal and school officers shall be elected at such time as may be provided by law.

SEC. 10. All officers made elective or appointive by this constitution or by the laws made in pursuance thereof, before entering upon the duties of their respective offices, shall take and subscribe the following oath or affirmation: "I do solemnly swear (or affirm) that I will support, obey, and defend the Constitution of the United States and the constitution of this State, and that I will discharge the duties of my office with fidelity."

ARTICLE V.

DISTRIBUTION OF POWERS.

SECTION 1. The powers of the government of the State of Utah shall be divided into three distinct departments, the legislative, the executive, and the judicial; and no person charged with the exercise of powers properly belonging to one of these departments shall exercise any functions appertaining to either of the others, except in the cases herein expressly directed or permitted.

ARTICLE VI.

LEGISLATIVE DEPARTMENT.

SECTION 1. The legislative power of this State shall be vested in a senate and house of representatives, which shall be designated the legislature of the State of Utah.

SEC. 2. Regular sessions of the legislature shall be held biennially at the seat of the government, and, except the first session thereof, shall commence on the second Monday in January next after the election of members of the house of representatives.

SEC. 3. The members of the house of representatives, after the first election, shall be chosen by the qualified electors of the respective representative districts on the first Tuesday after the first Monday in November, 1896, and biennially thereafter. Their term of office shall be two years from the first day of January next after their election.

SEC. 4. The senators shall be chosen by the qualified electors of the respective senatorial districts at the same times and places as members of the house of representatives, and their term of office shall be four years from the first day of January next after their election: *Provided*, That the senators elected in 1896 shall be divided by lot into two classess as nearly equal as may be; seats of senators of the first class shall be vacated at the expiration of two years, those of the second class at the expiration of four years; so that one-half, as near as possible, shall be chosen biennially thereafter. In case of increase in the number of senators, they shall be annexed by lot to one or the other of the two classes, so as to keep them as nearly equal as practicable.

SEC. 5. No person shall be eligible to the office of senator or representative who is not a citizen of the United States, twenty-five years of age, a qualified voter in the district from which he is chosen, a resident for three years of the State, and for one year of the district from which he is elected.

SEC. 6. No person holding any public office of profit or trust under authority of the United States or of this State shall be a member of the legislature: *Provided*, That appointments in the State militia and the officers of notary public, justice of the peace, United States commissioner, and postmaster of the fourth class shall not, within the meaning of this section, be considered offices of profit or trust.

SEC. 7. No member of the legislature, during the term for which he was elected, shall be appointed or elected to any civil office of profit under this State which shall have been created, or the emoluments of which shall have been increased, during the term for which he was elected.

ARTICLE II.

STATE BOUNDARIES.

SECTION 1. The boundaries of the State of Utah shall be as follows:

Beginning at a point formed by the intersection of the thirty-second degree of longitude west from Washington with the thirty-seventh degree of north latitude; thence due west along said thirty-seventh degree of north latitude to the intersection of the same with the thirty-seventh degree of longitude west from Washington; thence due north along said thirty-seventh degree of west longitude to the intersection of the same with the forty-second degree of north latitude; thence due east along said forty-second degree of north latitude to the intersection of the same with the thirty-fourth degree of longitude west from Washington; thence due south along said thirty-fourth degree of west longitude to the intersection of the same with the forty-first degree of north latitude; thence due east along said forty-first degree of north latitude to the intersection of the same with the thirty-second degree of longitude west from Washington; thence due south along said thirty-second degree of west longitude to the place of beginning.

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Second. The people inhabiting this State do affirm and declare that they forever disclaim all right and title to the unappropriated public lands lying within the boundaries hereof, and to all lands lying within said limits owned or held by any Indian or Indian tribes, and that until the title thereto shall have been extinguished by the United States the same shall be and remain subject to the disposition of the United States, and said Indian lands shall remain under the absolute jurisdiction and control of the Congress of the United States. The lands belonging to citizens of the United States residing without this State shall never be taxed at a higher rate than the lands belonging to residents of this State; nor shall taxes be imposed by this State on lands or property herein belonging to or which may hereafter be purchased by the United States or reserved for its use; but nothing in this ordinance shall preclude this State from taxing, as other lands are taxed, any lands owned or held by any Indian who has severed his tribal relations and has obtained from the United States or from any person, by patent or other grant, a title thereto, save and except such lands as have been or may be granted to any Indian or Indians under any act of Congress containing a provision exempting the land thus granted from taxation, which last-mentioned lands shall be exempt from taxation so long, and to such extent, as is or may be provided in the act of Congress granting the same.

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LEGISLATIVE DEPARTMENT.

SECTION 1. The legislative power of this State shall be vested in a senate and house of representatives, which shall be designated the legislature of the State of Utah.

SEC. 2. Regular sessions of the legislature shall be held biennially at the seat of the government, and, except the first session thereof, shall commence on the second Monday in January next after the election of members of the house of representatives.

SEC. 3. The members of the house of representatives, after the first election, shall be chosen by the qualified electors of the respective representative districts on the first Tuesday after the first Monday in November, 1896, and biennially thereafter. Their term of office shall be two years from the first day of January next after their election.

SEC. 4. The senators shall be chosen by the qualified electors of the respective senatorial districts at the same times and places as members of the house of representatives, and their term of office shall be four years from the first day of January next after their election: *Provided*, That the senators elected in 1896 shall be divided by lot into two classess as nearly equal as may be; seats of senators of the first class shall be vacated at the expiration of two years, those of the second class at the expiration of four years; so that one-half, as near as possible, shall be chosen biennially thereafter. In case of increase in the number of senators, they shall be annexed by lot to one or the other of the two classes, so as to keep them as nearly equal as practicable.

SEC. 5. No person shall be eligible to the office of senator or representative who is not a citizen of the United States, twenty-five years of age, a qualified voter in the district from which he is chosen, a resident for three years of the State, and for one year of the district from which he is elected.

SEC. 6. No person holding any public office of profit or trust under authority of the United States or of this State shall be a member of the legislature: *Provided*, That appointments in the State militia and the officers of notary public, justice of the peace, United States commissioner, and postmaster of the fourth class shall not, within the meaning of this section, be considered offices of profit or trust.

SEC. 7. No member of the legislature, during the term for which he was elected, shall be appointed or elected to any civil office of profit under this State which shall have been created, or the emoluments of which shall have been increased, during the term for which he was elected.

SEC. 8. Members of the legislature, in all cases except treason, felony, or breach of peace, shall be privileged from arrest during each session of the legislature, for fifteen days next preceding each session, and in returning therefrom; and for words used in any speech or debate in either house they shall not be questioned in any other place.

SEC. 9. The members of the legislature shall receive such per diem and mileage as the legislature may provide, not exceeding four dollars per day and ten cents per mile for the distance necessarily traveled going to and returning from the place of meeting on the most usual route, and they shall receive no other pay or perquisite.

SEC. 10. Each house shall be the judge of the election and qualifications of its members, and may punish them for disorderly conduct, and, with the concurrence of two-thirds of all the members elected, expel a member for cause.

SEC. 11. A majority of the members of each house shall constitute a quorum to transact business, but a smaller number may adjourn from day to day, and may compel the attendance of absent members in such manner and under such penalties as each house may prescribe.

SEC. 12. Each house shall determine the rules of its proceedings, and choose its own officers and employees.

SEC. 13. The governor shall issue writs of election to fill vacancies that may occur in either house of the legislature.

SEC. 14. Each house shall keep a journal of its proceedings, which, except in case of executive sessions, shall be published, and the yeas and nays on any question, at the request of five members of such house, shall be entered upon the journal.

SEC. 15. All sessions of the legislature, except those of the senate while sitting in executive session, shall be public; and neither house, without the consent of the other, shall adjourn for more than three days, nor to any other place than that in which it may be holding session.

SEC. 16. No regular session of the legislature (except the first, which may sit ninety days) shall exceed sixty days, except in cases of impeachment. No special session shall exceed thirty days, and in such special session, or when a regular session of the legislature trying cases of impeachment exceeds sixty days, the members shall receive for compensation only the usual per diem and mileage.

SEC. 17. The house of representatives shall have the sole power of impeachment, but in order to impeach two-thirds of all the members elected must vote therefor.

SEC. 18. All impeachments shall be tried by the senate, and senators, when sitting for that purpose, shall take oath or make affirmation to do justice according to the law and the evidence. When the governor is on trial the chief justice of the supreme court shall preside. No person shall be convicted without the concurrence of two-thirds of the senators elected.

SEC. 19. The governor and other State and judicial officers, except justices of the peace, shall be liable to impeachment for high crimes, misdemeanors, or malfeasance in office; but judgment in such cases shall extend only to removal from office and disqualification to hold any office of honor, trust, or profit in the State. The party, whether convicted or acquitted, shall, nevertheless, be liable to prosecution, trial, and punishment according to law.

SEC. 20. No person shall be tried on impeachment unless he shall have been served with a copy of the articles thereof at least ten days before the trial, and after such service he shall not exercise the duties of his office until he shall have been acquitted.

SEC. 21. All officers not liable to impeachment shall be removed for any of the offenses specified in this article, in such manner as may be provided by law.

SEC. 22. The enacting clause of every law shall be: "Be it enacted by the legislature of the State of Utah," and no bill or joint resolution shall be passed except with the assent of a majority of all the members elected to each house of the legislature, and after it has been read three times. The vote upon the final passage of all bills shall be by yeas and nays; and no law shall be revised or amended by reference to its title only; but the act as revised, or section as amended, shall be reenacted and published at length.

SEC. 23. Except general appropriation bills, and bills for the codification and general revision of laws, no bill shall be passed containing more than one subject, which hall be clearly expressed in its title.

SEC. 24. The presiding officer of each house, in the presence of the house over which he presides, shall sign all bills and joint resolutions passed by the legislature, after their titles have been publicly read immediately before signing, and the fact of such signing shall be entered upon the journal.

SEC. 25. All acts shall be officially published, and no act shall take effect until so published, nor until sixty days after the adjournment of the session at which it passed, unless the legislature by vote of two-thirds of all the members elected to each house shall otherwise direct.

SEC. 26. The legislature is prohibited from enacting any private or special laws in the following cases:

First. Granting divorce.

Second. Changing the names of persons or places, or constituting one person the heir at law of another.

Third. Locating or changing county seats.

Fourth. Regulating the jurisdiction and duties of justices of the peace.

Fifth. Punishing crimes and misdemeanors.

Sixth. Regulating the practice of courts of justice.

Seventh. Providing for a change of venue in civil or criminal actions.

Eighth. Assessing and collecting taxes.

Ninth. Regulating the interest on money.

Tenth. Changing the law of descent or succession.

Eleventh. Regulating county and township affairs.

Twelfth. Incorporating cities, towns, or villages; changing or amending the charter of any city, town, or village; laying out, opening, vacating, or altering town plats, highways, streets, wards, alleys, or public grounds.

Thirteenth. Providing for sale or mortgage of real estate belonging to minors or others under disability.

Fourteenth. Authorizing persons to keep ferries across streams within the State.

Fifteenth. Remitting fines, penalties, or forfeitures.

Sixteenth. Granting to an individual, association, or corporation any privilege, immunity, or franchise.

Seventeenth. Providing for the management of common schools.

Eighteenth. Creating, increasing, or decreasing fees, percentages, or allowances of public officers during the term for which said officers are elected or appointed.

The legislature may repeal any existing special law relating to the foregoing subdivisions.

In all cases where a general law can be applicable no special law shall be enacted.

Nothing in this section shall be construed to deny or restrict the power of the legislature to establish and regulate the compensation and fees of county and township officers; to establish and regulate the rates of freight, passage, toll, and charges of railroads, toll roads, ditch, flume, and tunnel companies incorporated under the laws of the State or doing business therein.

SEC. 27. The legislature shall have no power to release or extinguish, in whole or in part, the indebtedness, liability, or obligation of any corporation or person to the State, or to any municipal corporation therein.

SEC. 28. The legislature shall not authorize any game of chance, lottery, or gift enterprise under any pretense or for any purpose.

SEC. 29. The legislature shall not delegate to any special commission, private corporation, or association any power to make, supervise, or interfere with any municipal improvement, money, property, or effects, whether held in trust or otherwise, to levy taxes, to select a capitol site, or to perform any municipal functions.

SEC. 30. The legislature shall have no power to grant, or authorize any county or municipal authority to grant, any extra compensation, fee, or allowance to any public officer, agent, servant, or contractor, after service has been rendered or a contract has been entered into and performed in whole or in part, nor pay or authorize the payment of any claim hereafter created against the State, or any county or municipality of the State, under any agreement or contract made without authority of law: *Provided*, That this section shall not apply to claims incurred by public officers in the execution of the laws of the State.

SEC. 31. The legislature shall not authorize the State, or any county, city, town, township, district, or other political subdivision of the State, to lend its credit or subscribe to stock or bonds in aid of any railroad, telegraph, or other private individual or corporate enterprise or undertaking.

ARTICLE VII.

EXECUTIVE.

SECTION 1. The executive department shall consist of governor, secretary of state, State auditor, State treasurer, attorney-general, and superintendent of public instruction, each of whom shall hold his office for four years, beginning on the first Monday of January next after his election, except that the terms of office of those elected at the first election shall begin when the State shall be admitted into the Union, and shall end on the first Monday in January, A. D. 1901. The officers of the executive department, during their terms of office, shall reside at the seat of government, where they shall keep the public records, books, and papers. They shall perform such duties as are prescribed by this constitution and as may be prescribed by law.

SEC. 2. The officers provided for in section one of this article shall be elected by the qualified electors of the State at the time and place of voting for members of the legislature, and the persons respectively having the highest number of votes cast for the office voted for shall be elected; but if two or more shall have an equal and

highest number of votes for any one of said offices, the two houses of the legislature, at its next regular session, shall elect forthwith by joint ballot one of such persons for said office.

SEC. 3. No person shall be eligible to the office of governor or secretary of state unless he shall have attained the age of thirty years at the time of his election, nor to the office of attorney-general unless he shall have attained the age of twenty-five years at the time of his election and have been admitted to practice in the supreme court of the Territory or of the State of Utah, nor unless he shall be in good standing at the bar at the time of his election. No person shall be eligible to any of the offices provided for in section one of this article unless at the time of his election he shall be a qualified elector and shall have been a resident citizen of the State or Territory for five years next preceding his election. The State auditor and State treasurer shall be ineligible to election as their own successors.

SEC. 4. The governor shall be commander in chief of the military forces of the State, except when they shall be called into the service of the United States. He shall have the power to call out the militia to execute the laws, to suppress insurrection, or to repel invasion.

SEC. 5. The governor shall see that the laws are faithfully executed; he shall transact all executive business with the officers of the government, civil and military, and may require information in writing from the officers of the executive department, and from the officers and managers of State institutions upon any subject relating to the condition, management, and expenses of their respective offices and institutions, and at any time when the legislative assembly is not in session may, if he deem it necessary, appoint a committee to investigate and report to him upon the condition of any executive office or State institution. He shall communicate by message the condition of the State to the legislature at every regular session, and recommend such measures as he may deem expedient.

SEC. 6. On extraordinary occasions the governor may convene the legislature by proclamation, in which shall be stated the purpose for which the legislature is to be convened, and it shall transact no legislative business except that for which it was especially convened, or such other legislative business as the governor may call to its attention while in session. The legislature, however, may provide for the expenses of the session and other matters incidental thereto. The governor may also by proclamation convene the senate in extraordinary session for the transaction of executive business.

SEC. 7. In case of a disagreement between the two houses of the legislature at any special session with respect to the time of adjournment, the governor shall have power to adjourn the legislature to such time as he may think proper: *Provided*, That it be not beyond the time fixed for the convening of the next legislature.

SEC. 8. Every bill passed by the legislature, before it becomes a law, shall be presented to the governor. If he approve, he shall sign it, and thereupon it shall become a law; but if he do not approve, he shall return it with his objections to the house in which it originated, which house shall enter the objections at large upon its journal and proceed to reconsider the bill. If, after such reconsideration, it again passes both houses by a yea-and-nay vote of two-thirds of the members elected to each house, it shall become a law, notwithstanding the governor's objections. If any bill be not returned within five days after it shall have been presented to him (Sunday and the day on which he received it excepted), the same shall be a law in like manner as if he had signed it, unless the legislature by its final adjournment prevent such return, in which case it shall be filed with his objections in the office of the Secretary of State within ten days after such adjournment (Sundays excepted) or become a law. If any bill presented to the governor contains several items of appropriations of money, he may object to one or more such items while approving other portions of the bill. In such case he shall append to the bill at the time of signing it a statement of the item or items which he declines to approve, together with his reasons therefor, and such item or items shall not take effect unless passed over the governor's objection as in this section provided.

SEC. 9. When any State or district office shall become vacant and no mode is provided by the constitution and laws for filling such vacancy, the governor shall have the power to fill the same by granting a commission, which shall expire at the next election and upon qualification of the person elected to such office.

SEC. 10. The governor shall nominate, and by and with the consent of the senate appoint, all State and district officers whose offices are established by this constitution, or which may be created by law, and whose appointment or election is not otherwise provided for. If, during the recess of the senate, a vacancy occur in any State or district office, the governor shall appoint some fit person to discharge the duties thereof until the next meeting of the Senate, when he shall nominate some person to fill such office. If the office of justice of the supreme or district court, secretary of state, State auditor, State treasurer, attorney-general, or superintendent of public instruction be vacated by death, resignation, or otherwise it shall be the

duty of the governor to fill the same by appointment, and the appointee shall hold his office until his successor shall be elected and qualified, as may be by law provided.

SEC. 11. In case of the death of the governor, or his impeachment, removal from office, inability to discharge the duties of his office, resignation, or absence from the State, the powers and duties of said office shall devolve upon the secretary of state until the disability shall cease, or until the next general election, when the vacancy shall be filled by election. If, during a vacancy in the office of the governor, the secretary of state resign, die, or become incapable of performing the duties of the office, or be displaced, or be absent from the State, the president pro tempore of the senate shall act as governor until the vacancy be filled or the disability cease. While performing the duties of the governor as in this section provided, the secretary of state or the president pro tempore of the senate, as the case may be, except in cases of temporary disability or absence from the State, shall be entitled to the salary and emoluments of the governor.

SEC. 12. Until otherwise provided by law, the governor, justices of the supreme court, and attorney-general shall constitute a board of pardons, a majority of whom, including the governor, upon such conditions and with such limitations and restrictions as they deem proper, may remit fines and forfeitures, commute punishments, and grant pardons after convictions in all cases except treason and impeachments, subject to such regulations as may be provided by law relative to the manner of applying for pardons; but no fine or forfeiture shall be remitted and no commutation or pardon granted except after a full hearing before the board, in open session, after previous notice of the time and place of such hearing has been given. The proceedings and decisions of the board, with the reasons therefor in each case, together with the dissent of any member who may disagree, shall be reduced to writing and filed, with all the papers used upon the hearing, in the office of the secretary of state.

The governor shall have power to grant respites or reprieves in all cases of convictions for offenses against the State, except treason or conviction on impeachment; but such respites or reprieves shall not extend beyond the next session of the board of pardons; and such board, at such session, shall continue or determine such respite or reprieve, or they may commute the punishment or pardon the offense as herein provided. In case of conviction for treason, the governor shall have the power to suspend execution of the sentence until the case shall be reported to the legislature at its next regular session, when the legislature shall either pardon or commute the sentence or direct its execution; he shall communicate to the legislature at each regular session each case of remission of fine or forfeiture, reprieve, commutation, or pardon granted since the last previous report, stating the name of the convict, the crime for which he was convicted, the sentence and its date, the date of remission, commutation, pardon, or reprieve, with the reasons for granting the same, and the objections, if any, of any member of the board made thereto.

SEC. 13. Until otherwise provided by law, the governor, secretary of state, and attorney-general shall constitute a board of State prison commissioners, which board shall have such supervision of all matters connected with the State prison as may be provided by law. They shall also constitute a board of examiners, with power to examine all claims against the State except salaries or compensation of officers fixed by law, and perform such other duties as may be prescribed by law, and no other claim against the State, except for salaries and compensation of officers fixed by law, shall be passed upon by the legislature without having been considered and acted upon by the said board of examiners.

SEC. 14. Until otherwise provided by law, the governor, State treasurer, and state auditor shall constitute a board of insane asylum commissioners. Said board shall have such supervision of all matters connected with the State insane asylum as may be provided by law.

SEC. 15. Until otherwise provided by law, the governor, attorney-general, and superintendent of public instruction shall constitute a board of reform-school commissioners. Said board shall have such supervision of all matters connected with the State reform school as may be provided by law.

SEC. 16. The secretary of state shall keep a record of the official acts of the legislature and executive department of the State, and, when required, shall lay the same and all matters relative thereto before either branch of the legislature, and shall perform such other duties as may be provided by law.

SEC. 17. The auditor shall be auditor of public accounts, and the treasurer shall be the custodian of public moneys, and each shall perform such other duties as may be provided by law.

SEC. 18. The attorney-general shall be the legal adviser of the State officers, and shall perform such other duties as may be provided by law.

SEC. 19. The superintendent of public instruction shall perform such duties as may be provided by law.

SEC. 20. The governor, secretary of state, auditor, treasurer, attorney-general, superintendent of public instruction, and such other State and district officers as may be provided for by law shall receive for their services quarterly a compensation as fixed by law, which shall not be diminished or increased so as to affect the salary of any officer during his term, or the term next ensuing after the adoption of this Constitution, unless a vacancy occur, in which case the successor of the former incumbent shall receive only such salary as may be provided by law at the time of his election or appointment. The compensation of the officers provided for by this article, until otherwise provided by law, is fixed as follows:

Governor, two thousand dollars per annum.
Secretary of state, two thousand dollars per annum.
State auditor, fifteen hundred dollars per annum.
State treasurer, one thousand dollars per annum.
Attorney-general, fifteen hundred dollars per annum.
Superintendent of public instruction, fifteen hundred dollars per annum.

The compensation for said officers as prescribed in this section, and in all laws enacted pursuant to this constitution, shall be in full for all services rendered by said officers, respectively, in any official capacity or employment during their respective terms of office. No such officer shall receive for the performance of any official duty any fee for his own use, but all fees fixed by law for the performance by either of them of any official duty shall be collected in advance and deposited with the State treasurer quarterly to the credit of the State. The legislature may provide for the payment of actual and necessary expenses of said officers while traveling in the State in the performance of official duty.

SEC. 21. All grants and commissions shall be in the name and by the authority of the State of Utah, sealed with the great seal of the State, signed by the governor, and countersigned by the secretary of state.

SEC. 22. There shall be a seal of the State, which shall be kept by the secretary of state, and used by him officially. Said seal shall be called "the great seal of the State of Utah." The present seal of the Territory of Utah shall be the seal of the State until otherwise provided by law.

SEC. 23. No person while holding any office under the United States Government shall hold any office under the State government of Utah, and the governor shall not be eligible for election to the Senate of the United States during the term for which he shall have been elected governor.

ARTICLE VIII.

JUDICIAL DEPARTMENT.

SECTION 1. The judicial power of the State shall be vested in the senate sitting as a court of impeachment, in a supreme court, in district courts, in justices of the peace, and such other courts inferior to the supreme court as may be established by law.

SEC. 2. The supreme court shall consist of three judges; but after the year A. D. 1905 the legislature may increase the number thereof to five. A majority of the judges constituting the court shall be necessary to form a quorum or render a decision. If a justice of the supreme court shall be disqualified from sitting in a cause before said court the remaining judges shall call a district judge to sit with them on the hearing of such cause. The judges of the supreme court shall be elected by the electors of the State at large. The term of office of the judges of the supreme court, excepting as in this article otherwise provided, shall be six years. The judges of the supreme court, immediately after the first election under this constitution, shall be selected by lot, so that one shall hold office for the term of three years, one for the term of five years, and one for the term of seven years. The lots shall be drawn by the judges of the supreme court, who, for that purpose, shall assemble at the seat of government; and they shall cause the result thereof to be certified by the secretary of state, and filed in his office. The judge having the shortest term to serve, not holding his office by appointment or election to fill a vacancy, shall be the chief justice and shall preside at all terms of the supreme court, and in case of his absence the judge having, in like manner, the next shortest term shall preside in his stead.

SEC. 3. Every judge of the supreme court shall be at least thirty years of age, and before his election shall be a member of the bar, learned in the law, and a resident of the Territory or State of Utah for five years next preceding his election.

SEC. 4. The supreme court shall have original jurisdiction to issue writs of mandamus, certiorari, prohibition, quo warranto, and habeas corpus. Each of the justices shall have power to issue writs of habeas corpus, to any part of the State, upon petition by or on behalf of any person held in actual custody, and may make such writs returnable before himself or the supreme court, or before any district court or judge thereof in the State. In other cases the supreme court shall have appellate

jurisdiction only, and power to issue writs necessary and proper for the exercise of that jurisdiction. The supreme court shall hold at least three terms every year, and shall sit at the capital of the State.

SEC. 5. The State shall be divided into seven judicial districts, for each of which at least one, and not exceeding three, judges shall be chosen by the qualified electors thereof. The term of office of the district judges shall be four years, except that the district judges elected at the first election shall serve until the first Monday in January, A. D. 1901, and until their successors shall have qualified. Until otherwise provided by law a district court at the county seat of each county shall be held at least four times a year. All civil and criminal business arising in any county must be tried in such county, unless a change of venue be taken in such cases as may be provided by law. Each judge of the district court shall be at least twenty-five years of age, a member of the bar, learned in the law, a resident of the Territory or State of Utah three years next preceding his election, and shall reside in the district for which he shall be elected. Any district judge may hold a district court in any county at the request of the judge of the district, and upon a request of the governor it shall be his duty to do so. Any cause in the district court may be tried by a judge pro tempore, who must be a member of the bar, sworn to try the cause, and agreed upon by the parties or their attorneys of record.

SEC. 6. The legislature may change the limits of any judicial district, or increase or decrease the number of districts, or the judges thereof. No alteration or increase shall have the effect of removing a judge from office. In every additional district established a judge shall be elected by the electors thereof, and his term of office shall continue as provided in section five of this article.

SEC. 7. The district court shall have original jurisdiction in all matters civil and criminal not excepted in this constitution and not prohibited by law, appellate jurisdiction from all inferior courts and tribunals, and a supervisory control of the same. The district courts or any judge thereof shall have power to issue writs of habeas corpus, mandamus, injunction, quo warranto, certiorari, prohibition, and other writs necessary to carry into effect their orders, judgments, and decrees, and to give them a general control over inferior courts and tribunals within their respective jurisdictions.

SEC. 8. The legislature shall determine the number of justices of the peace to be elected, and shall fix by law their powers, duties, and compensation. The jurisdiction of justices of the peace shall be as now provided by law, but the legislature may restrict the same.

SEC. 9. From all final judgments of the district courts there shall be a right of appeal to the supreme court. The appeal shall be upon the record made in the court below, and under such regulations as may be provided by law. In equity cases the appeal may be on questions of both law and fact; in cases at law the appeal shall be on questions of law alone. Appeals shall also lie from the final orders and decrees of the court in the administration of decedent estates, and in cases of guardianship, as shall be provided by law. Appeals shall also lie from the final judgment of justices of the peace in civil and criminal cases to the district courts on both questions of law and fact, with such limitations and restrictions as shall be provided by law; and the decision of the district courts on such appeals shall be final, except in cases involving the validity or constitutionality of a statute.

SEC. 10. A county attorney shall be elected by the qualified voters of each county, who shall hold his office for a term of two years. The powers and duties of county attorneys, and such other attorneys for the State as the legislature may provide, shall be prescribed by law. In all cases where the attorney for any county or for the State fails or refuses to attend and prosecute according to law the court shall have power to appoint an attorney pro tempore.

SEC. 11. Judges may be removed from office by the concurrent vote of both houses of the legislature, each voting separately; but two-thirds of the members to which each house may be entitled must concur in such vote. The vote shall be determined by yeas and nays, and the names of the members voting for or against a judge, together with the cause or causes of removal, shall be entered on the journal of each house. The judge against whom the house may be about to proceed shall receive notice thereof, accompanied with a copy of the cause alleged for his removal, at least ten days before the day on which either house of the legislature shall act thereon.

SEC. 12. The judges of the supreme and district courts shall receive at stated times compensation for their services, which shall not be increased or diminished during the time for which they are elected.

SEC. 13. Except by consent of all the parties, no judge of the supreme or inferior courts shall preside in the trial of any cause where either of the parties shall be connected with him by affinity or consanguinity within the degree of first cousin, or in which he may have been of counsel, or in the trial of which he may have presided in any inferior court.

SEC. 14. The supreme court shall appoint a clerk and a reporter of its decisions, who shall hold their offices during the pleasure of the court. Until otherwise provided county clerks shall be ex officio clerks of the district courts in and for their respective counties, and shall perform such other duties as may be provided by law.

SEC. 15. No person related to any judge of any court by affinity or consanguinity within the degree of first cousin shall be appointed by such court or judge to or employed by such court or judge in any office or duty in any court of which such judge may be a member.

SEC. 16. Until otherwise provided by law, the judicial districts of the State shall be constituted as follows:

First district.—The counties of Cache, Boxelder, and Rich.

Second district.—The counties of Weber, Morgan, and Davis.

Third district.—The counties of Summit, Salt Lake, and Tooele, in which there shall be elected three district judges.

Fourth district.—The counties of Utah, Wasatch, and Uinta.

Fifth district.—The counties of Juab, Millard, Beaver, Iron, and Washington.

Sixth district.—The counties of Sevier, Piute, Wayne, Garfield, and Kane.

Seventh district.—The counties of Sanpete, Carbon, Emery, Grand, and San Juan.

SEC. 17. The supreme and district courts shall be courts of record, and each shall have a seal.

SEC. 18. The style of all process shall be "The State of Utah," and all prosecutions shall be conducted in the name and by the authority of the same.

SEC. 19. There shall be but one form of civil action, and law and equity may be administered in the same action.

SEC. 20. Until otherwise provided by law, salaries of supreme and district judges shall be three thousand dollars per annum and mileage, payable quarterly out of the State treasury.

SEC. 21. Judges of the supreme court, district court, and justices of the peace shall be conservators of the peace, and may hold preliminary examinations in cases of felony.

SEC. 22. District judges may at any time report defects and omissions in the law to the supreme court, and the supreme court, on or before the first day of December of each year, shall report in writing to the governor any seeming defect or omission in the law.

SEC. 23. The legislature may provide for the publication of decisions and opinions of the supreme court, but all decisions shall be free to publishers.

SEC. 24. The terms of office of supreme and district judges may be extended by law, but such extension shall not affect the term for which any judge was elected.

SEC. 25. When a judgment or decree is reversed, modified, or affirmed by the supreme court the reasons therefor shall be stated concisely in writing, signed by the judges concurring, filed in the office of the clerk of the supreme court, and preserved with a record of the case. Any judge dissenting therefrom may give the reasons of his dissent in writing over his signature.

SEC. 26. It shall be the duty of the court to prepare a syllabus of all the points adjudicated in each case, which shall be concurred in by a majority of the judges thereof, and it shall be prefixed to the published reports of the case.

SEC. 27. Any judicial officer who shall absent himself from the State or district for more than ninety consecutive days shall be deemed to have forfeited his office: *Provided*, That in case of extreme necessity the governor may extend the leave of absence to such time as the necessity therefor shall exist.

ARTICLE IX.

CONGRESSIONAL AND LEGISLATIVE APPORTIONMENT.

SECTION 1. One representative in the Congress of the United States shall be elected from the State at large on the Tuesday next after the first Monday in November, A. D. 1895, and thereafter at such times and places and in such manner as may be prescribed by law. When a new apportionment shall be made by Congress, the legislature shall divide the State into Congressional districts accordingly.

SEC. 2. The legislature shall provide by law for an enumeration of the inhabitants of the State A. D. 1905, and every tenth year thereafter, and at the session next following such enumeration, and also at the session next following an enumeration made by the authority of the United States, shall revise and adjust the apportionment for senators and representatives on the basis of such enumeration, according to ratios to be fixed by law.

SEC. 3. The senate shall consist of eighteen members and the house of representatives of forty-five members. The legislature may increase the number of senators and representatives, but the senators shall never exceed thirty in number, and the number of representatives shall never be less than twice nor greater than three times the number of senators.

SEC. 4. When more than one county shall constitute a senatorial district, such counties shall be contiguous, and no county shall be divided in the formation of such districts unless such county contains sufficient population within itself to form two or more districts, nor shall a part of any county be united with any other county in forming any district.

REPRESENTATIVE DISTRICTS.

Until otherwise provided by law, representatives shall be apportioned among the several counties of the State as follows: *Provided*, That in any future apportionment made by the legislature each county shall be entitled to at least one representative:

The county of Boxelder shall constitute the first representative district, and be entitled to one representative.

The county of Cache shall constitute the second representative district, and be entitled to three representatives.

The county of Rich shall constitute the third representative district, and be entitled to one representative.

The county of Weber shall constitute the fourth representative district, and be entitled to four representatives.

The county of Morgan shall constitute the fifth representative district, and be entitled to one representative.

The county of Davis shall constitute the sixth representative district, and be entitled to one representative.

The county of Tooele shall constitute the seventh representative district, and be entitled to one representative.

The county of Salt Lake shall constitute the eighth representative district, and be entitled to ten representatives.

The county of Summit shall constitute the ninth representative district, and be entitled to one representative.

The county of Wasatch shall constitute the tenth representative district, and be entitled to one representative.

The county of Utah shall constitute the eleventh representative district, and be entitled to four representatives.

The county of Uinta shall constitute the twelfth representative district, and be entitled to one representative.

The county of Juab shall constitute the thirteenth representative district, and be entitled to one representative.

The county of Sanpete shall constitute the fourteenth representative district, and be entitled to two representatives.

The county of Carbon shall constitute the fifteenth representative district, and be entitled to one representative.

The county of Emery shall constitute the sixteenth representative district, and be entitled to one representative.

The county of Grand shall constitute the seventeenth representative district, and be entitled to one representative.

The county of Sevier shall constitute the eighteenth representative district, and be entitled to one representative.

The county of Millard shall constitute the nineteenth representative district, and be entitled to one representative.

The county of Beaver shall constitute the twentieth representative district, and be entitled to one representative.

The county of Piute shall constitute the twenty-first representative district, and be entitled to one representative.

The county of Wayne shall constitute the twenty-second representative district, and be entitled to one representative.

The county of Garfield shall constitute the twenty-third representative district, and be entitled to one representative.

The county of Iron shall constitute the twenty-fourth representative district, and be entitled to one representative.

The county of Washington shall constitute the twenty-fifth representative district, and be entitled to one representative.

The county of Kane shall constitute the twenty-sixth representative district, and be entitled to one representative.

The county of San Juan shall constitute the twenty-seventh representative district, and be entitled to one representative.

SENATORIAL DISTRICTS.

Until otherwise provided by law, the senatorial districts shall be constituted and numbered as follows:

The counties of Boxelder and Tooele shall constitute the first district, and be entitled to one senator.

The county of Cache shall constitute the second district, and be entitled to one senator.

The counties of Rich, Morgan, and Davis shall constitute the third district, and be entitled to one senator.

The county of Weber shall constitute the fourth district, and be entitled to two senators.

The counties of Summit and Wasatch shall constitute the fifth district, and be entitled to one senator.

The county of Salt Lake shall constitute the sixth district, and be entitled to five senators.

The county of Utah shall constitute the seventh district, and be entitled to two senators.

The counties of Juab and Millard shall constitute the eighth district, and be entitled to one senator.

The county of Sanpete shall constitute the ninth district, and be entitled to one senator.

The counties of Sevier, Wayne, Piute, and Garfield shall constitute the tenth district, and be entitled to one senator.

The counties of Beaver, Iron, Washington, and Kane shall constitute the eleventh district, and be entitled to one senator.

The counties of Emery, Carbon, Uinta, Grand, and San Juan shall constitute the twelfth district, and be entitled to one senator.

ARTICLE X.

EDUCATION.

SECTION 1. The legislature shall provide for the establishment and maintenance of a uniform system of public schools, which shall be open to all the children of the State and free from sectarian control.

SEC. 2. The public school system shall include kindergarten schools; common schools, consisting of primary and grammar grades; high schools, an agricultural college, a university, and such other schools as the legislature may establish. The common school shall be free. The other departments of the system shall be supported as provided by law: *Provided*, That high schools may be maintained free in all cities of the first and second class now constituting school districts, and in such other cities and districts as may be designated by the legislature. But where the proportion of school moneys apportioned or accruing to any city or district shall not be sufficient to maintain all the free schools in such city or district, the high schools shall be supported by local taxation.

SEC. 3. The proceeds of all lands that have been or may be granted by the United States to this State for the support of the common schools, the proceeds of all property that may accrue to the State by escheat or forfeiture, and all unclaimed shares and dividends of any corporation incorporated under the laws of this State, the proceeds of the sale of timber, minerals, or other property from school and State lands other than those granted for specific purposes, and the five per centum of the net proceeds of the sales of public lands lying within the State, which shall be sold by the United States subsequent to the admission of this State into the Union, shall be and remain a perpetual fund, to be called the State school fund, the interest of which only, together with such other means as the legislature may provide, shall be distributed among the several school districts according to the school population residing therein.

SEC. 4. The location and establishment by existing laws of the University of Utah and Agricultural College are hereby confirmed, and all the rights, immunities, franchises, and endowments heretofore granted or conferred are hereby perpetuated unto said university and agricultural college, respectively.

SEC. 5. The proceeds of the sale of lands reserved by an act of Congress approved February 21, 1855, for the establishment of the University of Utah, and of all the lands granted by an act of Congress approved July 16, 1894, shall constitute permanent funds, to be safely invested and held by the State; and the income thereof shall be used exclusively for the support and maintenance of the different institutions and colleges, respectively, in accordance with the requirements and conditions of said acts of Congress.

SEC. 6. In cities of the first and second class the public school system shall be maintained and controlled by the board of education of such cities, separate and apart from the counties in which said cities are located.

SEC. 7. All public school funds shall be guaranteed by the State against loss or diversion.

SEC. 8. The general control and supervision of the public school system shall be vested in a State board of education, consisting of the superintendent of public instruction and such other persons as the legislature may provide.

SEC. 9. Neither the legislature nor the State board of education shall have power to prescribe text-books to be used in the common schools.

SEC. 10. Institutions for the deaf and dumb and for the blind are hereby established. All property belonging to the school for the deaf and dumb, heretofore connected with the University of Utah, shall be transferred to said institution for the deaf and dumb. All the proceeds of the lands granted by the United States for the support of a deaf and dumb asylum and for an institution for the blind shall be a perpetual fund for the maintenance of said institutions. It shall be a trust fund, the principal of which shall remain inviolate, guaranteed by the State against loss or diversion.

SEC. 11. The metric system shall be taught in the public schools of the State.

SEC. 12. Neither religious nor partisan test or qualification shall be required of any person as a condition of admission, as teacher or student, into any public educational institution of the State.

SEC. 13. Neither the legislature nor any county, city, town, school district, or other public corporation shall make any appropriation to aid in the support of any school, seminary, academy, college, university, or other institution controlled in whole or in part by any church, sect, or denomination whatever.

ARTICLE XI.

COUNTIES, CITIES, AND TOWNS.

SECTION 1. The several counties of the Territory of Utah existing at the time of the adoption of this constitution are hereby recognized as legal subdivisions of this State, and the precincts and school districts now existing in the said counties as legal subdivisions thereof, and they shall so continue until changed by law in pursuance of this article.

SEC. 2. No county seat shall be removed unless two-thirds of the qualified electors of the county, voting on the proposition at a general election, shall vote in favor of such removal, and two-thirds of the votes cast on the proposition shall be required to relocate a county seat. A proposition of removal shall not be submitted in the same county more than once in four years.

SEC. 3. No territory shall be stricken from any county unless a majority of the voters living in such territory, as well as of the county to which it is to be annexed, shall vote therefor, and then only under such conditions as may be prescribed by general law.

SEC. 4. The legislature shall establish a system of county government, which shall be uniform throughout the State, and by general laws shall provide for precinct and township organizations.

SEC. 5. Corporations for municipal purposes shall not be created by special laws; the legislature, by general laws, shall provide for the incorporation, organization, and classification of cities and towns in proportion to population; which laws may be altered, amended, or repealed.

SEC. 6. No municipal corporation shall directly or indirectly lease, sell, alien, or dispose of any waterworks, water rights, or sources of water supply now or hereafter to be owned or controlled by it, but all such waterworks, water rights, and sources of water supply now owned or hereafter to be acquired by any municipal corporation shall be preserved, maintained, and operated by it for supplying its inhabitants with water at reasonable charges: *Provided*, That nothing herein contained shall be construed to prevent any such municipal corporation from exchanging water rights or sources of water supply for other water rights or sources of water supply of equal value, and to be devoted in like manner to the public supply of its inhabitants.

ARTICLE XII.

CORPORATIONS.

SECTION 1. Corporations may be formed under general laws, but shall not be created by special acts. All laws relating to corporations may be altered, amended, or repealed by the legislature, and all corporations doing business in this State may, as to such business, be regulated, limited, or restrained by law.

SEC. 2. All existing charters, franchises, special or exclusive privileges under which an actual and bona fide organization shall not have taken place and business been commenced in good faith at the time of the adoption of this constitution shall thereafter have no validity; and no corporation in existence at the time of the adoption of this constitution shall have the benefit of future legislation without first filing in the office of the secretary of state an acceptance of the provisions of this constitution.

SEC. 3. The legislature shall not extend any franchise or charter, nor remit the forfeiture of any franchise or charter of any corporation now existing or which shall hereafter exist under the laws of this State.

SEC. 4. The term "corporation," as used in this article, shall be construed to include all associations and joint stock companies having any powers or privileges of corporations not possessed by individuals or partnerships, and all corporations shall have the right to sue, and shall be subject to be sued, in all courts in like cases as natural persons.

SEC. 5. Corporations shall not issue stock except to bona fide subscribers thereof or their assignee, nor shall any corporation issue any bond or other obligation for the payment of money except for money or property received or labor done. The stock of corporations shall not be increased except in pursuance of general law, nor shall any law authorize the increase of stock without the consent of the person or persons holding the larger amount in value of the stock, or without due notice of the proposed increase having previously been given in such manner as may be prescribed by law. All fictitious increase of stock or indebtedness shall be void.

SEC. 6. No corporations organized outside of this State shall be allowed to transact business within the State on conditions more favorable than those prescribed by law to similar corporations organized under the laws of this State.

SEC. 7. No corporation shall lease or alienate any franchise so as to relieve the franchise or property held thereunder from the liabilities of the lessor or grantor, lessee or grantee, contracted or incurred in operation, use, or enjoyment of such franchise or any of its privileges.

SEC. 8. No law shall be passed granting the right to construct and operate a street railroad, telegraph, telephone, or electric-light plant within any city or incorporated town without the consent of the local authorities who have the control of the street or highway proposed to be occupied for such purposes.

SEC. 9. No corporation shall do business in this State without having one or more places of business, with an authorized agent or agents upon whom process may be served, nor without first filing a certified copy of its articles of incorporation with the secretary of state.

SEC. 10. No corporation shall engage in any business other than that expressly authorized in its charter or articles of incorporation.

SEC. 11. The exercise of the right of eminent domain shall never be so abridged or construed as to prevent the legislature from taking the property and franchises of incorporated companies and subjecting them to public use the same as the property of individuals.

SEC. 12. All railroad and other transportation companies are declared to be common carriers and subject to legislative control, and such companies shall receive and transport each other's passengers and freight without discrimination or unnecessary delay.

SEC. 13. No railroad corporation shall consolidate its stock, property, or franchises with any other railroad corporation owning a competing line.

SEC. 14. The rolling stock and other movable property belonging to any railroad company or corporation in this State shall be considered personal property, and shall be liable to taxation and to execution and sale in the same manner as the personal property of individuals, and such property shall not be exempted from execution and sale.

SEC. 15. The legislature shall pass laws establishing reasonable maximum rates of charges for the transportation of passengers and freight, for correcting abuses, and preventing discrimination and extortion in rates of freight and passenger tariffs by the different railroads and other common carriers in the State, and shall enforce such laws by adequate penalties.

SEC. 16. No corporation or association shall bring any armed person or bodies of men into this State for the preservation of the peace or the suppression of domestic troubles without authority of law.

SEC. 17. No officer, employee, attorney, or agent of any corporation, company, or association doing business under or by virtue of any municipal charter or franchise shall be eligible to or permitted to hold any municipal office in the municipality granting such charter or franchise.

SEC. 18. The stockholders in every corporation and joint stock association for banking purposes, in addition to the amount of capital stock subscribed and fully paid by them, shall be individually responsible for an additional amount equal to the amount of their stock in such corporation for all its debts and liabilities of every kind.

SEC. 19. Every person in this State shall be free to obtain employment whenever possible, and any person, corporation, or agent, servant, or employee thereof, maliciously interfering or hindering in any way any person from obtaining or enjoying employment already obtained from any other corporation or person shall be deemed *guilty of a crime.* The legislature shall provide by law for the enforcement of this *section.*

SEC. 20. Any combination by individuals, corporations, or associations having for its object or effect the controlling of the price of any products of the soil, or of any article of manufacture or commerce, or the cost of exchange or transportation, is prohibited and hereby declared unlawful and against public policy. The legislature shall pass laws for the enforcement of this section by adequate penalties, and, in case of incorporated companies, if necessary may declare a forfeiture of their franchise.

ARTICLE XIII.

REVENUE AND TAXATION.

SECTION 1. The fiscal year shall begin on the first day of January, unless changed by the legislature.

SEC. 2. All property in the State, not exempt under the laws of the United States or under this constitution, shall be taxed in proportion to its value, to be ascertained as provided by law. The word property, as used in this article, is hereby declared to include moneys, credits, bonds, stocks, franchises, and all matters and things (real, personal, and mixed) capable of private ownership; but this shall not be so construed as to authorize the taxation of the stocks of any company or corporation when the property of such company or corporation represented by such stocks has been taxed. The legislature shall provide by law for an annual tax sufficient, with other sources of revenue, to defray the estimated ordinary expenses of the State for each fiscal year. For the purpose of paying the State debt, if any there be, the legislature shall provide for levying a tax annually sufficient to pay the annual interest and principal of such debt within twenty years from the final passage of the law creating the debt.

SEC. 3. The legislature shall provide by law a uniform and equal rate of assessment and taxation on all property in the State according to its value in money, and shall prescribe by general law such regulations as shall secure a just valuation for taxation of all property; so that every person and corporation shall pay a tax in proportion to the value of his, her, or its property: *Provided*, That a deduction of debits from credits may be authorized: *Provided further*, That the property of the United States, of the State, counties, cities, towns, school districts, municipal corporations, and public libraries, lots with the buildings thereon used exclusively for either religious worship or charitable purposes, and places of burial not held or used for private or corporate benefit shall be exempt from taxation. Ditches, canals, and flumes owned and used by individuals or corporations for irrigating lands owned by such individuals or corporations, or the individual members thereof, shall not be separately taxed so long as they shall be owned and used exclusively for such purpose.

SEC. 4. All mines and mining claims, both placer and rock in place, containing or bearing gold, silver, copper, lead, coal, or other valuable mineral deposits, after purchase thereof from the United States, shall be taxed at the price paid the United States therefor, unless the surface ground, or some part thereof, of such mine or claim is used for other than mining purposes, and has a separate and independent value for such other purposes; in which case said surface ground, or any part thereof, so used for other than mining purposes shall be taxed at its value for such other purposes, as provided by law; and all the machinery used in mining, and all property and surface improvements upon or appurtenant to mines and mining claims, which have a value separate and independent of such mines or mining claims, and the net annual proceeds of all mines and mining claims, shall be taxed as provided by law.

SEC. 5. The legislature shall not impose taxes for the purpose of any county, city, town, or other municipal corporation, but may by law vest in the corporate authorities thereof, respectively, the power to assess and collect taxes for all purposes of such corporation.

SEC. 6. An accurate statement of the receipts and expenditures of the public moneys shall be published annually in such manner as the legislature may provide.

SEC. 7. The rate of taxation on property for State purposes shall never exceed eight mills on each dollar of valuation; and whenever the taxable property within the State shall amount to two hundred million dollars the rate shall not exceed five mills on each dollar of valuation, and whenever the taxable property within the State shall amount to three hundred million dollars the rate shall never thereafter exceed four mills on each dollar of valuation; unless a proposition to increase such rate, specifying the rate proposed and the time during which the same shall be levied, be first submitted to a vote of such of the qualified electors of the State as, in the year next preceding such election, shall have paid a property tax assessed to them within the State, and the majority of those voting thereon shall vote in favor thereof, in such manner as may be provided by law.

SEC. 8. The making of profit out of public moneys, or using the same for any purpose not authorized by law, by any public officer shall be deemed a felony, and shall be punished as provided by law, but part of such punishment shall be disqualification *to hold public office.*

SEC. 9. No appropriation shall be made or any expenditure authorized by the legislature whereby the expenditure of the State during any fiscal year shall exceed the total tax then provided for by law and applicable for such appropriation or expenditure, unless the legislature making such appropriation shall provide for levying a sufficient tax, not exceeding the rates allowed in section seven of this article, to pay such appropriation or expenditure within such fiscal year. This provision shall not apply to appropriations or expenditures to suppress insurrections, defend the State, or assist in defending the United States in time of war.

SEC. 10. All corporations or persons in this State, or doing business herein, shall be subject to taxation for State, county, school, municipal, or other purposes on the real and personal property owned or used by them within the territorial limits of the authority levying the tax.

SEC. 11. Until otherwise provided by law, there shall be a State board of equalization, consisting of the governor, State auditor, State treasurer, secretary of state, and attorney-general; also, in each county of this State, a county board of equalization, consisting of the board of county commissioners of said county. The duty of the State board of equalization shall be to adjust and equalize the valuation of the real and personal property among the several counties of the State. The duty of the county board of equalization shall be to adjust and equalize the valuation of the real and personal property within their respective counties. Each board shall also perform such other duties as may be prescribed by law.

SEC. 12. Nothing in this constitution shall be construed to prevent the legislature from providing a stamp tax, or a tax based on income, occupation, licenses, franchises, or mortgages.

ARTICLE XIV.

PUBLIC DEBT.

SECTION 1. To meet casual deficits or failures in revenue, and for necessary expenditures for public purposes, including the erection of public buildings and for the payment of all Territorial indebtedness assumed by the State, the State may contract debts, not exceeding in the aggregate at any one time the sum of two hundred thousand dollars over and above the amount of the Territorial indebtedness assumed by the State. But when the said Territorial indebtedness shall have been paid the State shall never contract any indebtedness, except as in the next section provided, in excess of the sum of two hundred thousand dollars, and all moneys arising from loans herein authorized shall be applied solely to the purposes for which they were obtained.

SEC. 2. The State may contract debts to repel invasion, suppress insurrection, or to defend the State in war, but the money arising from the contracting of such debts shall be applied solely to the purpose for which it was obtained.

SEC. 3. No debt in excess of the taxes for the current year shall be created by any county or subdivision thereof, or by any school district therein, or by any city, town, or village, or any subdivision thereof in this State, unless the proposition to create such debt shall have been submitted to a vote of such qualified electors as shall have paid a property tax therein in the year preceding such election, and a majority of those voting thereon shall have voted in favor of incurring such debt.

SEC. 4. When authorized to create indebtedness as provided in section three of this article, no county shall become indebted to an amount, including existing indebtedness, exceeding two per centum. No city, town, school district, or other municipal corporation shall become indebted to an amount, including existing indebtedness, exceeding four per centum of the value of the taxable property therein, the value to be ascertained by the last assessment for State and county purposes previous to the incurring of such indebtedness; except that in incorporated cities the assessment shall be taken from the last assessment for city purposes: *Provided*, That no part of the indebtedness allowed in this section shall be incurred for other than strictly county, city, town, or school district purposes: *Provided further*, That any city or town, when authorized as provided in section three of this article, may be allowed to incur a larger indebtedness, not exceeding four per centum additional for supplying such city or town with water, artificial light, or sewers, when the works for supplying such water, light, and sewers shall be owned and controlled by the municipality.

SEC. 5. All moneys borrowed by or on behalf of the State, or any legal subdivision thereof, shall be used solely for the purpose specified in the law authorizing the loan.

SEC. 6. The State shall not assume the debt, or any part thereof, of any county, city, town, or school district.

SEC. 7. Nothing in this article shall be so construed as to impair or add to the obligation of any debt heretofore contracted, in accordance with the laws of Utah Territory, by any county, city, town, or school district, or to prevent the contracting of any debt, or the issuing of bonds therefor, in accordance with said laws, upon

any proposition for that purpose which, according to said laws, may have been submitted to a vote of the qualified electors of any county, city, town, or school district before the day on which this constitution takes effect.

ARTICLE XV.

MILITIA.

SECTION 1. The militia shall consist of all able-bodied male inhabitants of the State between the ages of eighteen and forty-five years, except such as are exempt by law.

SEC. 2. The legislature shall provide by law for the organization, equipment, and discipline of the militia, which shall conform as nearly as practicable to the regulations for the government of the Armies of the United States.

ARTICLE XVI.

LABOR.

SECTION 1. The rights of labor shall have just protection through laws calculated to promote the industrial welfare of the State.

SEC. 2. The legislature shall provide by law for a board of labor, conciliation, and arbitration, which shall fairly represent the interests of both capital and labor. The board shall perform duties and receive compensation as prescribed by law.

SEC. 3. The legislature shall prohibit:

First. The employment of women or of children under the age of fourteen years in underground mines.

Second. The contracting of convict labor.

Third. The labor of convicts outside prison grounds, except on public works under the direct control of the State.

Fourth. The political and commercial control of employees.

SEC. 4. The exchange of black lists by railroad companies or other corporations, associations, or persons is prohibited.

SEC. 5. The right of action to recover damages for injuries resulting in death shall never be abrogated, and the amount recoverable shall not be subject to any statutory limitation.

SEC. 6. Eight hours shall constitute a day's work on all works or undertakings carried on or aided by the State, county, or municipal governments, and the legislature shall pass laws to provide for the health and safety of employees in factories, smelters, and mines.

SEC. 7. The legislature, by appropriate legislation, shall provide for the enforcement of the provisions of this article.

ARTICLE XVII.

WATER RIGHTS.

SECTION 1. All existing rights to the use of any of the waters in this State for any useful or beneficial purpose are hereby recognized and confirmed.

ARTICLE XVIII.

FORESTRY.

SECTION 1. The legislature shall enact laws to prevent the destruction of and to preserve the forests on the lands of the State and upon any part of the public domain the control of which may be conferred by Congress upon the State.

ARTICLE XIX.

PUBLIC BUILDINGS AND STATE INSTITUTIONS.

SECTION 1. All institutions and other property of the Territory upon the adoption of this constitution shall become the institutions and property of the State of Utah.

SEC. 2. Reformatory and penal institutions, and those for the benefit of the insane, blind, deaf and dumb, and such other institutions as the public good may require, shall be established and supported by the State in such manner and under such boards of control as may be prescribed by law.

SEC. 3. The public institutions of the State are hereby permanently located at the places hereinafter named, each to have the lands specifically granted to it by the United States in the act of Congress approved July 16, 1894, to be disposed of and used in such manner as the legislature may provide:

First. The seat of government and the State fair, at Salt Lake City, and the State prison in the county of Salt Lake.

Second. The institutions for the deaf and dumb and the blind and the State reform school, at Ogden City, in the county of Weber.

Third. The State insane asylum, at Provo City, in the county of Utah.

ARTICLE XX.

PUBLIC LANDS.

SECTION 1. All lands of the State that have been or may hereafter be granted to the State by Congress, and all lands acquired by gift, grant, or devise from any person or corporation, or that may otherwise be acquired, are hereby accepted and declared to be the public lands of the State, and shall be held in trust for the people, to be disposed of as may be provided by law, for the respective purposes for which they have been or may be granted, donated, devised, or otherwise acquired.

ARTICLE XXI.

SALARIES.

SECTION 1. All State, district, city, county, town, and school officers, excepting notaries public, boards of arbitration, court commissioners, justices of the peace, and constables, shall be paid fixed and definite salaries: *Provided*, That city justices may be paid by salary when so determined by the mayor and council of such cities.

SEC. 2. The legislature shall provide by law the fees which shall be collected by all officers within the State. Notaries public, boards of arbitration, court commissioners, justices of the peace, and constables paid by fees shall accept said fees as their full compensation. But all other State, district, county, city, town, and school officers shall be required by law to keep a true and correct account of all fees collected by them, and to pay the same into the proper treasury, and the officer whose duty it is to collect such fees shall be held responsible under his bond for the same.

ARTICLE XXII.

MISCELLANEOUS.

SECTION 1. The legislature shall provide by law for the selection by each head of a family an exemption of a homestead, which may consist of one or more parcels of land, together with the appurtenances and improvements thereon, of the value of at least fifteen hundred dollars, from sale on execution.

SEC. 2. Real and personal estate of every female acquired before marriage, and all property to which she may afterwards become entitled by purchase, gift, grant, inheritance, or devise, shall be and remain the estate and property of such female, and shall not be liable for the debts, obligations, or engagements of her husband, and may be conveyed, devised, or bequeathed by her as if she were unmarried.

ARTICLE XXIII.

AMENDMENTS.

SECTION 1. Any amendment or amendments to this constitution may be proposed in either house of the legislature, and if two-thirds of all the members elected to each of the two houses shall vote in favor thereof such proposed amendment or amendments shall be entered on their respective journals with the yeas and nays taken thereon; and the legislature shall cause the same to be published in at least one newspaper in every county of the State where a newspaper is published, for two months immediately preceding the next general election, at which time the said amendment or amendments shall be submitted to the electors of the State for their approval or rejection, and if a majority of the electors voting thereon shall approve the same, such amendment or amendments shall become part of this constitution. If two or more amendments are proposed, they shall be so submitted as to enable the electors to vote on each of them separately.

SEC. 2. Whenever two-thirds of the members elected to each branch of the legislature shall deem it necessary to call a convention to revise or amend this constitution, they shall recommend to the electors to vote at the next general election for or against a convention, and if a majority of all the electors voting at such election shall vote for a convention, the legislature at its next session shall provide by law for calling the same. The convention shall consist of not less than the number of members in both branches of the legislature.

SEC. 3. No constitution or amendments adopted by such convention shall have validity until submitted to and adopted by a majority of the electors of the State voting at the next general election.

ARTICLE XXIV.

SCHEDULE.

SECTION 1. In order that no inconvenience may arise by reason of the change from a Territorial to a State government, it is hereby declared that all writs, actions, prosecutions, judgments, claims, and contracts, as well of individuals as of bodies corporate, both public and private, shall continue as if no change had taken place; and all process which may issue under the authority of the Territory of Utah previous to its admission into the Union shall be as valid as if issued in the name of the State of Utah.

SEC. 2. All laws of the Territory of Utah now in force, not repugnant to this constitution, shall remain in force until they expire by their own limitations or are altered or repealed by the legislature. The act of the governor and legislative assembly of the Territory of Utah entitled "An act to punish polygamy and other kindred offenses," approved February 4, A. D. 1892, in so far as the same defines and imposes penalties for polygamy, is hereby declared to be in force in the State of Utah.

SEC. 3. Any person who, at the time of the admission of the State into the Union, may be confined under lawful commitments, or otherwise lawfully held to answer for alleged violations of any of the criminal laws of the Territory of Utah, shall continue to be so held or confined until discharged therefrom by the proper courts of the State.

SEC. 4. All fines, penalties, and forfeitures accruing to the Territory of Utah, or to the people of the United States in the Territory of Utah, shall inure to this State, and all debts, liabilities, and obligations of said Territory shall be valid against the State and enforced as may be provided by law.

SEC. 5. All recognizances heretofore taken, or which may be taken before the change from a Territorial to a State government, shall remain valid, and shall pass to and be prosecuted in the name of the State; and all bonds executed to the governor of the Territory, or to any other officer or court in his or their official capacity, or to any official board for the benefit of the Territory of Utah, or the people thereof, shall pass to the governor or other officer, court, or board, and his or their successors in office, for the uses therein respectively expressed, and may be sued on and recovered accordingly. Assessed taxes and all revenue, property—real, personal, or mixed—and all judgments, bonds, specialties, choses in action, claims, and debts of whatsoever description, and all records and public archives of the Territory of Utah, shall issue and vest in the State of Utah, and may be sued for and recovered in the same manner and to the same extent by the State of Utah as the same could have been by the Territory of Utah; and all fines, taxes, penalties, and forfeitures due or owing to any county, municipality, or school district therein at the time the State shall be admitted into the Union are hereby respectively assigned and transferred, and the same shall be payable to the county, municipality, or school district, as the case may be, and payment thereof be enforced under the laws of the State.

SEC. 6. All criminal prosecutions and penal actions which may have arisen or which may arise before the change from a Territorial to a State government, and which shall then be pending, shall be prosecuted to judgment and execution in the name of the State, and in the court having jurisdiction thereof. All offenses committed against the laws of the Territory of Utah before the change from a Territorial to a State government, and which shall not have been prosecuted before such change, may be prosecuted in the name and by the authority of the State of Utah, with like effect as though such change had not taken place, and all penalties incurred shall remain the same as if this constitution had not been adopted.

SEC. 7. All actions, cases, proceedings, and matters pending in the supreme and district courts of the Territory of Utah at the time the State shall be admitted into the Union, and all files, records, and indictments relating thereto, except as otherwise provided herein, shall be appropriately transferred to the supreme and district courts of the State, respectively; and thereafter all such actions, matters, and cases shall be proceeded with in the proper State courts. All actions, cases, proceedings, and matters which shall be pending in the district courts of the Territory of Utah at the time of the admission of the State into the Union whereof the United States circuit or district courts might have had jurisdiction had there been a State government at the time of the commencement thereof, respectively, shall be transferred to the proper United States circuit and district courts, respectively; and all files, records, indictments, and proceedings relating thereto shall be transferred to said United States courts: *Provided*, That no civil actions, other than causes and proceedings of which the said United States courts shall have exclusive jurisdiction, shall be transferred to either of said United States courts except upon motion or petition by one of the parties thereto, made under and in accordance with the act or acts of the Congress of the United States, and such motion and petition not being made, all *such cases shall* be proceeded with in the proper State courts.

SEC. 8. Upon a change from Territorial to State government, the seal in use by the supreme court of the Territory of Utah, until otherwise provided by law, shall pass to and become the seal of the supreme court of the State, and the several district courts of the State may adopt seals for their respective courts, until otherwise provided by law.

SEC. 9. When the State is admitted into the Union, and the district courts in the respective districts are organized, the books, records, papers, and proceedings of the probate court in each county, and all causes and matters of administration pending therein, upon the expiration of the term of office of the probate judge, on the second Monday in January, 1896, shall pass into the jurisdiction and possession of the district court, which shall proceed to final judgment or decree, order, or other determination in the several matters and causes as the Territorial probate court might have done if this constitution had not been adopted. And until the expiration of the term of office of the probate judges, such probate judges shall perform the duties now imposed upon them by the laws of the Territory. The district court shall have appellate and revisory jurisdiction over the decisions of the probate courts, as now provided by law, until such latter courts expire by limitation.

SEC. 10. All officers, civil and military, now holding their offices and appointments in this Territory by authority of law, shall continue to hold and exercise their respective offices and appointments until superseded under this constitution: *Provided*, That the provisions of this section shall be subject to the provisions of the act of Congress providing for the admission of the State of Utah, approved by the President of the United States on July 16, 1894.

SEC. 11. The election for the adoption or rejection of this constitution, and for State officers herein provided for, shall be held on the Tuesday next after the first Monday in November, 1895, and shall be conducted according to the laws of the Territory and the provisions of the enabling act; the votes cast at said election shall be canvassed and returns made in the same manner as was provided for in the election for delegates to the constitutional convention: *Provided*, That all male citizens of the United States over the age of twenty-one years, who have resided in the Territory for one year prior to such election, are hereby authorized to vote for or against the adoption of this constitution, and for the State officers herein provided for. The returns of said election shall be made to the Utah commission, who shall cause the same to be canvassed, and shall certify the result of the vote for or against the constitution to the President of the United States in the manner required by the enabling act; and said commission shall issue certificates of election to the persons elected to said offices severally, and shall make and file with the secretary of the Territory an abstract, certified to by them, of the number of votes cast for each person for each of said offices, and of the total number of votes cast in each county.

SEC. 12. The State officers to be voted for at the time of the adoption of this constitution shall be a governor, secretary of state, State auditor, State treasurer, attorney-general, superintendent of public instruction, members of the senate and house of representatives, three supreme judges, nine district judges, and a Representative to Congress.

SEC. 13. In case of a contest of election between candidates at the first general election under this constitution for judges of the district courts, the evidence shall be taken in the manner prescribed by the Territorial laws, and the testimony so taken shall be certified to the secretary of state, and said officer, together with the governor and the treasurer of the State, shall review the evidence and determine who is entitled to the certificate of election.

SEC. 14. This constitution shall be submitted for adoption or rejection to a vote of the qualified electors of the proposed State at the general election to be held on the Tuesday next after the first Monday in November, A. D. 1895. At the said election the ballot shall be in the following form:

For the constitution: Yes. No.

As a heading to each of said ballots there shall be printed on each ballot the following instructions to voters:

All persons desiring to vote for the constitution must erase the word "No."

All persons desiring to vote against the constitution must erase the word "Yes."

SEC. 15. The legislature at its first session shall provide for the election of all officers whose election is not provided for elsewhere in this constitution, and fix the time for the commencement and duration of their terms.

SEC. 16. The provisions of this constitution shall be in force from the day on which the President of the United States shall issue his proclamation declaring the State of Utah admitted into the Union; and the terms of all officers elected at the first election under the provisions of this constitution shall commence on the first Monday next succeeding the issue of said proclamation. Their terms of office shall expire when their successors are elected and qualified under this constitution.

Done in convention at Salt Lake City, in the Territory of Utah, this eighth day of May, in the year of our Lord one thousand eight hundred and ninety-five, and of the independence of the United States the one hundred and nineteenth.

JOHN HENRY SMITH, *President.*

Attest:

PARLEY P. CHRISTENSEN, *Secretary.*

LOUIS BERNHARDT ADAMS.
RUFUS ALBERN ALLEN.
ANDREW SMITH ANDERSON.
JOHN RICHARD BARNES.
JOHN RUTLEDGE BOWDLE.
JOHN SELL BOYER.
THEODORE BRANDLEY.
HERBERT GUION BUTTON.
WILLIAM BUYS.
CHESTER CALL.
GEORGE MOUSLEY CANNON.
JOHN FOY CHIDESTER.
PARLEY CHRISTIANSEN.
THOMAS H. CLARK, Jr.
LOUIS LAVILLE CORAY.
ELMER ELLSWORTH CORFMAN.
CHARLES CRANE.
WILLIAM CREER.
GEORGE CUNNINGHAM.
ARTHUR JOHN CUSHING.
WILLIAM DRIVER.
DENNIS CLAY EICHNOR.
ALMA ELDREDGE.
GEORGE RHODES EMERY.
ANDREAS ENGBERG.
DAVID EVANS.
ABEL JOHN EVANS.
LORIN FARR.
SAMUEL FRANCIS.
WILLIAM HENRY GIBBS.
CHARLES CARROL GOODWIN.
JAMES FREDERIC GREEN.
FRANCIS ASBURY HAMMOND.
CHARLES HENRY HART.
HARRY HAYNES.
JOHN DANIEL HOLLADAY.
ROBERT W. HEYBORNE.
SAMUEL HOOD HILL.
WILLIAM HOWARD.
HENRY HUGHES.
JOSEPH ALONZO HYDE.
ANTHONY WOODWARD IVINS.
WM. F. JAMES.
LYCURGUS JOHNSON.
JOSEPH LOFTIS JOLLEY.
FREDERICK JOHN KIESEL.
DAVID KEITH.
THOMAS KEARNS.
WILLIAM JASPER KERR.
ANDREW KIMBALL.
JAMES NATHANIEL KIMBALL.
RICHARD G. LAMBERT.
LAURITZ LARSEN.
CHRISTEN PETER LARSEN.
HYRUM LEMMON.
THEODORE BELDEN LEWIS.
WILLIAM LOWE.
PETER LOWE.
JAMES PATON LOW.
ANTHONY CANUTE LUND.
KARL G. MAESER.
RICHARD MACKINTOSH.
THOMAS MALONEY.
WILLIAM H. MAUGHN.
ROBERT MCFARLAND.
GEO. P. MILLER.
ELIAS MORRIS.
JACOB MORITZ.
JOHN RIGGS MURDOCK.
JOSEPH ROYAL MURDOCK.
JAMES DAVID MURDOCK.
AQUILLA NEBEKER.
JEREMIAH DAY PAGE.
EDWARD PARTRIDGE.
J. D PETERS.
MONS PETERSON.
JAMES CHRISTIAN PETERSON.
FRANKLIN PIERCE.
WM. B. PRESTON.
ALONZO HAZELTON RALEIGH.
FRANKLIN SNYDER RICHARDS.
JOEL RICKS.
BRIGHAM HENRY ROBERTS.
JASPER ROBERTSON.
JOSEPH ELDRIDGE ROBINSON.
WILLIS EUGENE ROBISON.
GEORGE RYAN.
JOHN HENRY SMITH.
GEORGE B. SQUIRES.
WILLIAM GILSON SHARP.
HARRISON TUTTLE SHURTLIFF.
EDMUND HUNTER SNOW.
HYRUM HUPP SPENCER.
DAVID BRAINERD STOVER.
CHARLES NETTLETON STREVELL.
CHARLES WILLIAM SYMONS.
DANIEL THOMPSON.
MOSES THATCHER.
INGWALD CONRAD THORESEN.
JOSEPH EPHRAIM THORNE.
SAMUEL R. THURMAN.
WILLIAM GRANT VAN HORNE
CHARLES STETSON VARIAN.
HEBER M. WELLS.
NOBLE WARRUM, Jr.
ORSON FERGUSON WHITNEY
JOSEPH JOHN WILLIAMS.

FOURTEENTH ANNUAL REPORT

OF THE

UTAH COMMISSION

OFFICE OF THE UTAH COMMISSION,
Salt Lake City, Utah, August 20, 1895.

SIR: In compliance with the custom of this office, the following report for the fiscal year ending June 30, 1895, constituting the Fourteenth Annual Report of the Utah Commission, is hereby respectfully submitted:

TERRITORIAL STATUTES, 1878.

On February 22, 1878, an act of the Territorial legislature of Utah was approved, regulating registration and elections and fixing the qualifications to hold office, which, with some modification and change, is still in force. The provisions of this act are as follows:

(239) 1. The assessors in their respective counties are hereby constituted the registration officers, and they are required to appoint a resident deputy in each precinct to assist in carrying out the provisions of this act, and before the first Monday in September, in person or by deputy, they shall visit every dwelling in each precinct, and make careful inquiry as to any or all persons entitled to vote, and each assessor or deputy in all cases shall ascertain upon what ground such person claims to be a voter, and he shall require each person entitled to vote and desiring to be registered to take and subscribe in substance the following oath or affirmation:

"I, ——, being duly sworn or affirmed, depose and say that I am over 21 years of age; that I have resided in the Territory of Utah for six months last past and in the precinct for one month immediately preceding the date hereof, and that I am a native-born (or naturalized) citizen of the United States; that my full name is ——; that I am —— years of age; that my place of business is at ——; that I am a single (or married) man; that the name of my lawful wife is ——, and that I will support the Constitution of the United States, and will faithfully obey the laws thereof, especially the act of Congress approved March 22, 1882, entitled 'An act to amend section 5352 of the Revised Statutes of the United States in reference to bigamy, and for other purposes,' and I will also obey the act of Congress of March 3, 1887, entitled 'An act to amend an act entitled an act to amend section 5352 of the Revised Statutes of the United States in reference to bigamy, and for other purposes,' approved March 22, 1882, in respect to the crimes in said act defined and forbidden, and that I will not directly or indirectly aid or abet, counsel or advise any other person to commit any of said crimes."

Upon the receipt of such affidavit the assessor, as aforesaid, shall place the name of such voter upon the registry list of the voters of the county.

(240) 2. It shall be the duty of the assessor of each county, in person or by deputy, beginning on the first Monday in August, to take up the transcript of the next preceding registration list and proceed to the revision of the same, and for this purpose he shall visit every dwelling house in each precinct and make careful inquiry if any person whose name is on his list has died or removed from the precinct or is otherwise disqualified as a voter of such precinct; and if so, to erase the same therefrom, or whether any qualified voter resides therein whose name is not on his list; and if so, to add the same thereto in the manner as provided in the preceding section.

(241) 3. It shall also be the duty of each assessor, in person or by deputy, during the week commencing the last Monday in September of each year, at his office, to enter on his registry list the name of any voter that may have been omitted on such voter appearing and complying with the provision of the first section of this act required of voters for registration purposes.

(242) 4. Upon the completion of the list it shall be the duty of each assessor as aforesaid to proceed to make out a list in alphabetical order for each precinct, containing the names of all the registered voters of such precinct, and shall, on or before the second Monday in October of each year, deliver all of said lists and affidavits to the clerk of the county court.

(243) 5. The clerk of the county court shall deliver to the assessor the registry lists whenever necessary for the revision thereof or adding names thereto.

(244) 6. Voters removing from one election precinct to another in the same county may appear before the assessor at any time previous to the delivery of the registry lists to the clerk of the county court and have their names erased therefrom, and they may thereupon have their names registered in the precincts to which they may remove.

(245) 7. The clerk of the county court shall file and carefully preserve all said affidavits and registry lists, and shall make a copy of each precinct registry list and cause the same to be posted up at least fifteen days before any election at or near the place of election, and shall make and transmit another copy to the judges of election.

(246) 8. The clerk of the county court shall cause to be printed or written a notice which shall designate the offices to be filled, and stating that the election will commence at ——— (designating the place for holding the polls) one hour after sunrise and continue until sunset on the —— day of ——— 189— (naming the day of election). Dated at ———, etc., a copy of which shall be posted up at least fifteen days before the election in three public places in said precinct best calculated to give notice to all the voters. It shall also be the duty of the clerk of the county court to give notice on the lists so posted that the senior justice of the peace for said precinct will hear objections to the right to vote of any person registered until sunset of the fifth day preceding the day of election. Said objections shall be made by a qualified voter in writing and delivered to the said justice, who shall issue a written notice to the person objected to, stating the place, day, and hour when the objection will be heard. The person making the objection shall serve or cause to be served said notice upon the person objected to, and shall also make returns of such service to the justice before whom the objection shall be heard. Upon the hearing of the case, if said justice shall find that the person objected to is not a qualified voter, he shall, within three days prior to the election, transmit a certified list of the names of all such unqualified persons to the judges of election, and said judges shall strike such names from the registry lists before the opening of the polls.

(247) 9. The county court shall at its first session in September of each year appoint three capable and discreet persons in each precinct in the county, one at least of whom shall be of the political party that was in the minority at the last previous election, if any such party there be in such precinct, to act as judges of general and special elections; and they shall designate one of the persons appointed to preside and the other two to act as clerks of said elections. And the clerk of said courts shall make out certificates of said appointments and transmit the same by mail, or other safe conveyance, to the persons so appointed, who, previous to entering upon said office, shall take and subscribe an oath, to the effect that they will well and faithfully perform all the duties thereof to the best of their ability, and that they will studiously endeavor to prevent any fraud, deceit, or abuse at any election over which they may preside. If in any precinct any of such judges decline to serve or fail to appear, the voters of said precinct first assembled on the day of election, to the number of six, at or immediately after the time designated for opening the polls, may elect a judge or judges to fill the vacancy, and the persons so elected shall qualify as hereinbefore provided.

(248) 10. The county court shall provide the necessary books, blanks, stationery, and ballot boxes, which ballot boxes shall be made of galvanized iron of suitable size, with Yale or other safe lock, and two keys, one of the keys to be kept by the judges of election and one by the clerk of the county court: *Provided*, That if any county has good and substantial ballot boxes, with Yale locks and keys, the same may be used. There shall be an opening through the lid of each ballot box of sufficient size to admit of a single ballot.

(249) 11. The county court shall furnish the judges of elections in every precinct with a sufficient number of plain envelopes for election purposes. Said envelopes shall be uniform in color and size, without any marks, writing, printing, or device upon them; and no other kind shall be used at any given election. Before opening the polls the ballot box shall be carefully and publicly examined by the judges of election, who shall satisfy themselves that nothing is therein. It shall then be locked and the key thereof delivered to the presiding judge, and said ballot box shall not be opened during the election.

(250) 12. At the opening of the polls at all general or special elections the judges of election for their respective precincts shall designate one of the judges acting as clerk who shall have in custody the registry of voters, and shall make the entries therein required by law; the other of said judges acting as clerk shall write the name of each person voting and opposite to it the number of the vote.

(251) 13. Every voter shall designate on a single ballot, written or printed, the names of the person or persons voted for, with a pertinent designation of the office to be filled. And when any question is to be decided, in the affirmative or negative, he shall state the proposition at the bottom of the ballot, and write thereunder "yes" or "no," as he may desire to vote thereon; which ballot shall be neatly folded and placed in one of the envelopes hereinbefore provided for, and delivered to the presiding judge of election, who shall, in the presence of the voter, on the name of the proposed voter being found on the registry list, and on all challenges to such vote being decided in favor of such voter, deposit it in the ballot box, without any mark whatever being placed on such envelope; otherwise, the ballot shall be rejected.

(252) 14. Whenever any ballot shall be deposited in the ballot box, the judge having the registry list shall write the word "voted" opposite the name of the person casting the vote, and the other judge acting as clerk shall write the name of the voter and the number of the vote upon a list to be made by such judge.

(253) 15. As soon as the polls shall be closed the judges of election shall immediately proceed to canvass the votes as cast at such election and continue without adjournment until completed; and all candidates voted for may be present, either in person or by representative, to witness said canvass. If any envelope contains two or more ballots of the same kind folded together, only one shall be counted.

(254) 16. The canvass shall commence by the judges who have acted as clerks of the election comparing their respective lists and ascertaining from said lists the number of votes cast. The box shall then be opened and the ballots therein taken out and counted by the judges, and the judges acting as clerks shall each make a list of all the persons voted for. The presiding judge shall then proceed to open the ballots and call off therefrom the names of the persons voted for and the offices they are intended to fill; and the judges acting as clerks shall take an account of the same upon their lists, and all the ballots shall be immediately returned to the ballot box, and the ballot box shall be locked and securely sealed.

(255) 17. After the canvass shall have been completed, the judges of election shall add up and determine the number of votes cast for each person for the several offices, which result shall be placed on the lists made by the judges acting as clerks of the election, and the judges shall thereupon certify to the same, and forward all the lists, securely sealed, together with the ballot box, to the clerk of the county court, by a qualified voter of the county, who shall, before taking the same, take and subscribe an oath to the effect that he will deliver the same to the said clerk without unnecessary delay, and that he will use his utmost ability to prevent any interference whatever therewith by any person whatsoever.

(256) 18. On receipt of the ballot boxes and returns of election the clerk of the county court, in the presence of at least one member of the county court who is not publicly known as a candidate voted for at such election, shall break the seal of the returns, and all candidates may be present, as provided in section 15 of this act, and said clerk and member or members of the county court shall carefully examine the returns; and if no irregularity or discrepancy appear therein affecting the result of the election of any candidate, they shall accept said returns as correct; but if the right of any person voted for for any office is in any way affected, then the clerk and said members of the county court shall open the ballots from said precinct and canvass the same so far as to determine the rights of the persons whose office may be affected. They may also cause to appear before them any persons whom they deem proper, and take their testimony in relation to said election in said precinct.

(257) 19. If there shall be any disagreement in regard to the number of votes cast for any Territorial officer, or any officer whose election is affected by the votes of more counties than one, then said members of the county court shall canvass the votes and proceed as herein directed. After the completion of the canvass said member or members and clerk of the county court shall declare the result thereof, and the clerk of the county court shall immediately make out and transmit a certificate of election to each person elected to any precinct or county office: *Provided*, That whenever a tie shall occur between two or more persons for the same office, the clerk of the county court shall notify each of them thereof, and the same shall be decided by lot in the presence and under the direction of the county court. The notice herein provided for shall state the time and place and the manner in which the tie is to be decided. If either of the persons notified fail to appear by self or agent, such person shall be deemed to have waived all right to the office, and the clerk shall issue the election certificate to the person appearing; if neither of them appear by self or agent, the office shall be deemed vacant, and may be filled as in case of other vacancies.

(258) 20. Immediately after the inspection of the ballots in any ballot box the ballots shall be returned into the box, which shall be locked and securely sealed, and the boxes shall be so preserved for ten days after the result of the election has been declared, and immediately after the expiration of the ten days, and no notice of a contest being filed requiring further delay, the clerk of the county court shall, in the presence of at least one of the members of the county court and such candidates voted for as may be present, open each of the ballot boxes and destroy all ballots contained therein.

(259) 21. The clerk of the county court shall also, as soon as possible after the result of the election has been so determined, make out a general abstract thereof, in triplicate, and certify to the correctness thereof, one of which he shall file and one of which he shall post up in his office, and forward to the secretary of the Territory a certified copy of the names of the persons voted for and the number of votes each has received for Territorial offices. The envelope containing said abstract shall be plainly marked "Election returns from ——— county."

(260) 22. As soon as all returns are received by the secretary of the Territory he shall, in the presence of the governor, unseal and canvass the same, and make an abstract thereof, and the secretary shall, within ten days thereafter, make out and transmit a certificate of election to each member of the legislature and Territorial officers elected.

(261) 23. The assessors and their deputies shall receive such compensation for their services, required by this act, as the county court shall determine; and the judges of election shall receive for their services 30 cents per hour for all services rendered in conducting elections and canvassing votes; and each of said officers is hereby authorized to administer oaths whenever necessary to carry into effect the provisions of this act.

(262) 24. The judges of election shall receive for their services $3 per day, and 30 cents per hour for all services rendered in canvassing votes. All municipal elections shall be held and conducted and the returns and canvass of votes thereof made substantially in accordance with the provisions of this act, and it shall be the duty of the city councils of their respective cities to provide for the registry of voters and the appointment or election of all officers necessary, and to furnish all necessary appliances for the carrying out of the provisions of this section; and to aid them therein, the clerk of the county court, on the demand of the recorder of any municipal corporation, shall, on payment of the proper fees, furnish a certified copy of the registry list of voters of any precinct, or part thereof, within any such municipality.

(263) 25. Any omission or irregularity of any assessor or other officer pertaining to election matters shall not invalidate any election or authorize the rejection of any legal votes cast, except to the extent that such omission or irregularity shall have prevented a fair vote.

(264) 26. Any person who shall falsely make any return, or falsely make any certificate of election returns, or who shall in any manner procure or assist in the making of the same or cause the same to be done, or who shall in any manner do or cause any fraud in any election, or having entered upon any of the offices or duties provided for in this act, shall willfully fail or neglect to perform any of the duties required of such officer or person, shall be deemed guilty of a felony, and on conviction thereof shall be punished by a fine not exceeding the sum of $1,000, or be imprisoned in the penitentiary for a term not exceeding two years.

(265) 27. If any person who is required by this act to take an oath shall falsely swear, such person shall be deemed guilty of perjury.

(266) 28. Any person who shall disturb or be guilty of any riotous conduct at any election in this Territory, or who shall disturb or interfere with the canvassing of the votes, or interfere with the making of the returns, or who shall interfere with any voter in the free exercise of the elective franchise, shall be deemed guilty of a misdemeanor.

(267) 29. Any person who shall give or promise or offer to give to an elector any money, reward, or other valuable consideration for his or her vote at an election, or for withholding the same, or who shall give or promise to give such consideration to any other person or party for such elector's vote, or for the withholding thereof, or any elector who shall receive or agree to receive for himself or for another any money, reward, or other valuable consideration for his vote at an election, or for withholding the same, shall be deemed guilty of a misdemeanor, and shall also forfeit the right to vote at such election; and any elector whose right to vote shall be challenged for such cause before the election officers shall be required to swear or affirm that the matter of the challenge is untrue before his vote shall be received.

(268) 30. Any person who shall offer any bribe, threat, or intimidation to any elector for the purpose of influencing his or her vote, or shall examine any ballot offered or cast at the polls or found in any ballot box for any other purpose than to ascertain what candidate has been elected, or who votes more than once at any one election,

or knowingly offers to vote two or more ballots, or in any manner changes any ballot after the same has been deposited in the ballot box, or adds, or attempts to add, any ballot to those legally polled, shall be deemed guilty of a misdemeanor.

EDMUNDS LAW, 1882.

On March 22, 1882, an act known as the Edmunds law was approved, amending section 5352 of the Revised Statutes of the United States providing for the punishment of bigamy, polygamy, etc., and also vacating all registration and election offices of the Territory and devolving the duties relating to the registration and conduct of election upon a board of five persons, to be known as the board of registration and election, to be appointed by the President, by and with the advice and consent of the Senate. The provision of the act relating to the latter subject is as follows:

SEC. 9. That all the registration and election offices of every description in the Territory of Utah are hereby declared vacant, and each and every duty relating to the registration of voters, the conduct of elections, the receiving or rejection of votes, and the canvassing and returning of the same, and the issuing of certificates or other evidence of election in said Territory, shall, until other provision be made by the legislative assembly of said Territory as is hereinafter by this section provided, be performed under the existing laws of the United States and of said Territory by proper persons, who shall be appointed to execute such offices and perform such duties by a board of five persons, to be appointed by the President, by and with the advice and consent of the Senate, not more than three of whom shall be members of one political party; and a majority of whom shall be a quorum. The members of said board so appointed by the President shall each receive a salary at the rate of three thousand dollars per annum, and shall continue in office until the legislative assembly of said Territory shall make provision for filling said offices as herein authorized. The secretary of the Territory shall be the secretary of said board, and keep a journal of its proceedings and attest the action of said board under this section. The canvass and returns of all votes at elections in said Territory for members of the legislative assembly thereof shall also be returned to said board, which shall canvass all such returns and issue certificates of election to those persons who, being eligible for such election, shall appear to have been lawfully elected, which certificates shall be the only evidence of the right of such persons to sit in such assembly: *Provided*, That said board of five persons shall not exclude any person otherwise eligible to vote from the polls on account of any opinion such person may entertain on the subject of bigamy or polygamy, nor shall they refuse to count any such vote on account of the opinion of the person casting it on the subject of bigamy or poligamy; but each house of said assembly, after its organization, shall have power to decide upon the elections and qualifications of its members. And at, or after the first meeting of said legislative assembly whose members shall have been elected and returned according to the provisions of this act, said legislative assembly may make such laws, conformable to the organic act of said Territory and not inconsistent with other laws of the United States, as it shall deem proper concerning the filling of the offices in said Territory declared vacant by this act.

EDMUNDS-TUCKER LAW, 1887.

The provisions of the foregoing act was modified by an act of Congress known as the "Edmunds-Tucker law," which took effect March 3, 1887, the sections bearing upon that subject being as follows:

SEC. 21. That all the laws of the legislative assembly of the Territory of Utah which provide for numbering or identifying the votes of the electors at any election in said Territory are hereby disapproved and annulled; but the foregoing provision shall not preclude the lawful registration of voters, or any other provisions for securing elections which do not involve the disclosure of the candidates for whom any particular elector shall have voted.

SEC. 22. That the existing election districts and apportionments of representation concerning the members of the legislative assembly of the Territory of Utah are hereby abolished; and it shall be the duty of the governor, Territorial secretary, and the board of commissioners mentioned in section nine of the act of Congress approved March twenty-second, eighteen hundred and eighty-two, entitled "An act to amend section fifty-three hundred and fifty-two of the Revised Statutes of the United States in reference to bigamy, and for other purposes," in said Territory, forthwith to redis-

trict said Territory, and apportion representation in the same in such manner as to provide, as nearly as may be, for an equal representation of the people (excepting Indians not taxed), being citizens of the United States, according to numbers, in said legislative assembly, and to the number of members of the council and house of representatives, respectively, as now established by law; and a record of the establishment of such new districts and the apportionment of representation thereto shall be made in the office of the secretary of said Territory, and such establishment and representation shall continue until Congress shall otherwise provide; and no person other than citizens of the United States otherwise qualified shall be entitled to vote at any election in said Territory.

SEC. 23. That the provisions of section nine of said act approved March twenty-second, eighteen hundred and eighty-two, in regard to registration and elections officers, and the registration of voters, and the conduct of elections, and the powers and duties of the board therein mentioned, shall continue and remain operative until the provisions and laws therein referred to to be made and enacted by the legislative assembly of said Territory of Utah shall have been made and enacted by said assembly and shall have been approved by Congress.

SEC. 24. That every male person twenty-one years of age resident in the Territory of Utah shall, as a condition precedent to his right to register or vote at any election in said Territory, take and subscribe an oath or affirmation, before the registration officer of his voting precinct, that he is over twenty-one years of age, and has resided in the Territory of Utah for six months then last past and in the precinct for one month immediately preceding the date thereof, and that he is a native born (or naturalized, as the case may be) citizen of the United States, and further state in such oath or affirmation his full name, with his age, place of business, his status, whether single or married, and, if married, the name of his lawful wife, and that he will support the Constitution of the United States and will faithfully obey the laws thereof, and especially will obey the act of Congress approved March twenty-second, eighteen hundred and eighty-two, entitled "An act to amend section fifty-three hundred and fifty-two of the Revised Statutes of the United States in reference to bigamy, and for other purposes," and will also obey this act in respect of the crimes in said act defined and forbidden, and that he will not, directly or indirectly, aid or abet, counsel or advise, any other person to commit any of said crimes. Such registration officer is authorized to administer said oath or affirmation; and all such oaths or affirmations shall be by him delivered to the clerk of the probate court of the proper county, and shall be deemed public records therein. But if any election shall occur in said Territory before the next revision of the registration lists as required by law, the said oath or affirmation shall be administered by the presiding judge of the election precinct on or before the day of election. As a condition precedent to the right to hold office in or under said Territory, the officer, before entering on the duties of his office, shall take and subscribe an oath or affirmation declaring his full name, with his age, place of business, his status, whether married or single, and, if married, the name of his lawful wife, and that he will support the Constitution of the United States and will faithfully obey the laws thereof, and especially will obey the act of Congress approved March twenty-second, eighteen hundred and eighty-two, entitled "An act to amend section fifty-three hundred and fifty-two other of the Revised Statutes of the United States in reference to bigamy, and for purposes," and will also obey this act in respect of the crimes in said act defined and forbidden, and that he will not, directly or indirectly, aid or abet, counsel or advise, any other person to commit any of said crimes, which oath or affirmation shall be recorded in the proper office and indorsed on the commission or certificate of appointment. All grand and petit jurors in said Territory shall take the same oath or affirmation, to be administered, in writing or orally, in the proper court. No person shall be entitled to vote in any election in said Territory, or be capable of jury service, or hold any office of trust or emolument in said Territory, who shall not have taken the oath or affirmation aforesaid. No person who shall have been convicted of any crime under this act, or under the act of Congress aforesaid, approved March twenty-second, eighteen hundred and eighty-two, or who shall be a polygamist, or who shall associate or cohabit polygamously with person of the other sex, shall be entitled to vote in any election in said Territory, or be capable of jury service, or to hold any office of trust or emolument in said Territory.

CHANGES IN TERRITORIAL STATUTES.

At the thirtieth session of the legislative assembly of Utah, held in 1892, an act introduced by the Hon. William P. Sargent, a member of the house from Garfield County, authorizing the registration, defining the qualifications of electors, and regulating the exercise of the elective

franchise, embracing the main features of the Australian ballot law, was passed by both branches, but was vetoed by the governor. However, an act in relation to elections was passed at the same session, approved March 10, 1892, which is as follows:

SECTION 1. That on the Tuesday next after the first Monday in November, eighteen hundred and ninety-two, and biennially thereafter, a general election shall be held throughout the Territory for the election of Territorial, county, and precinct officers who by law are or may be elective, and all such officers so elected shall qualify and enter upon the duties of their respective offices on the first day of January next succeeding their election, and continue in office for two years, and until their successors are duly elected and qualified: *Provided*, That county collectors shall not enter upon the duties of their office until the first day of June of the year next succeeding their election.

SEC. 2. That the official term of the present incumbents of any of the offices mentioned in the foregoing section, except county collectors, whose term shall extend to June first, eighteen hundred and ninety-three, shall extend to the first day of January, eighteen hundred and ninety-three, and until their successors are duly elected and qualified, but not longer.

SEC. 3. That on Tuesday next after the first Monday in November, eighteen hundred and ninety-two, there shall be held an election in each city, town, village, and school district in the Territory, except such cities which shall have held an election in eighteen hundred and ninety-two prior to May thirty-first, eighteen hundred and ninety-two, to fill all the offices of the same or pertaining thereto which by law are or may be made elective, and the officers so elected shall qualify and enter upon the duties of their respective offices on the first day of January, eighteen hundred and ninety-three, and continue in office till the first day of January, eighteen hundred and ninety-four, and until their successors are duly elected and qualified. That the incumbents of the offices mentioned in this section may continue therein and exercise the functions thereof till the first day of January, eighteen hundred and ninety-three, and until their successors are duly elected and qualified, but no longer.

SEC. 4. That on the Tuesday next after the first Monday in November, eighteen hundred and ninety-three, and biennially thereafter, there shall be held an election in each city, town, village, and school district in the Territory, to fill all offices of the same or pertaining thereto which by law are or may be made elective, also for members of the legislative assembly, and the officers then elected shall qualify and enter upon the duties of their respective offices on the first day of January next succeeding their election, and continue in office for two years, and until their successors are duly elected and qualified.

SEC. 5. That all acts and parts of acts, in so far as they provide for holding elections to fill any of the offices mentioned in this act (other than for special elections to fill vacancies) or in any manner for fixing the tenure of such offices otherwise than in this act provided, are hereby repealed.

SEC. 6. Nothing in this act shall apply to cities of the metropolitan class.

SEC. 7. This act shall take effect from and after May thirty-first, eighteen hundred and ninety-two.

At the following session of the legislature, in 1894, a bill was introduced providing for an act to restore the control of elections to the several counties throughout the Territory under the provisions of the act of 1878, which would have repealed section 9 of the act of March 22, 1882, except as to the qualifications of electors and officeholders, imposing upon the assessors of each county the duties of registration officers and giving to the county courts the authority to appoint judges for general and special elections. This bill was, however, vetoed by the governor and failed to become a law.

ENABLING ACT.

At the first session of the Fifty-third Congress a bill for an enabling act was introduced in the House of Representatives by Hon. Joseph L. Rawlins, Delegate from Utah, and referred to the Committee on the Territories. At the second session of the same Congress the bill was duly reported and passed the House December 13, 1893, practically without division. It came up in the Senate December 18, 1893, and was then referred to a similar committee. On May 17, 1894, it was reported

back with amendments and passed the Senate July 10. On July 11 it was returned to the House, which body concurred in the amendments, and it was then transmitted to the President, by whom it was approved July 16, 1894. The act is as follows:

AN ACT to enable the people of Utah to form a constitution and State government, and to be admitted into the Union on an equal footing with the original States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the inhabitants of all that part of the area of the United States now constituting the Territory of Utah, as at present described, may become the State of Utah, as hereinafter provided.

SEC. 2. That all male citizens of the United States over the age of twenty-one years who have resided in said Territory for one year next prior to such election are hereby authorized to vote for and choose delegates to form a convention in said Territory. Such delegates shall possess the qualifications of such electors; and the aforesaid convention shall consist of one hundred and seven delegates, apportioned among the several counties within the limits of the proposed State as follows: Beaver County, two delegates; Box Elder County, four delegates; Cache County, eight delegates; Davis County, three delegates; Emery County, three delegates; Garfield County, one delegate; Grand County, one delegate; Iron County, one delegate; Juab County, three delegates; Kane County, one delegate; Millard County, two delegates; Morgan County, one delegate; Piute County, one delegate; Rich County, one delegate; Salt Lake County, twenty-nine delegates, thus apportioned, to wit: Salt Lake City, first precinct, four delegates; second precinct, six delegates; third precinct, five delegates; fourth precinct, three delegates; fifth precinct, three delegates; all other precincts in said county outside of Salt Lake City, eight delegates; San Juan County, one delegate; San Pete County, seven delegates; Sevier County, three delegates; Summit County, four delegates; Tooele County, two delegates; Uintah County, one delegate; Utah County, twelve delegates; Wasatch County, two delegates; Washington County, two delegates; Wayne County, one delegate, and Weber County, eleven delegates; and the governor of said Territory shall, on the first day of August, eighteen hundred and ninety-four, issue a proclamation ordering an election of the delegates aforesaid in said Territory, to be held on the Tuesday next after the first Monday in November following. The board of commissioners known as the Utah Commission is hereby authorized and required to cause a new and complete registration of voters of said Territory to be made under the provisions of the laws of the United States and said Territory, except that the oath required for registration under said laws shall be so modified as to test the qualifications of the electors as prescribed in this act, such new registration to be made as nearly conformable with the provisions of such laws as may be; and such election for delegates shall be conducted, the returns made, the result ascertained, and the certificate of persons elected to such convention issued in the same manner as is prescribed by the laws of said Territory regulating elections therein of members of the legislature. Persons possessing the qualifications entitling them to vote for delegates under this act shall be entitled to vote on the ratification or rejection of the constitution, under such rules or regulations as said convention may prescribe, not in conflict with this act.

SEC. 3. That the delegates to the convention thus elected shall meet at the seat of government of said Territory on the first Monday in March, eighteen hundred and ninety-five, and, after organization, shall declare on behalf of the people of said proposed State that they adopt the Constitution of the United States, whereupon the said convention shall be, and is hereby, authorized to form a constitution and State government for said proposed State.

The constitution shall be republican in form, and make no distinction in civil or political rights on account of race or color, except as to Indians not taxed, and not to be repugnant to the Constitution of the United States and the principles of the Declaration of Independence. And said convention shall provide by ordinance irrevocable without the consent of the United States and the people of said State

First. That perfect toleration of religious sentiment shall be secured, and that no inhabitant of said State shall ever be molested in person or property on account of his or her mode of religious worship: *Provided*, That polygamous or plural marriages are forever prohibited.

Second. That the people inhabiting said proposed State do agree and declare that they forever disclaim all right and title to the unappropriated public lands lying within the boundaries thereof; and to all lands lying within said limits owned or held by any Indian or Indian tribes; and that until the title thereto shall have been extinguished by the United States, the same shall be and remain subject to the disposition of the United States, and said Indian lands shall remain under the absolute jurisdiction and control of the Congress of the United States; that the lands belong-

ing to citizens of the United States residing without the said State shall never be taxed at a higher rate than the lands belonging to residents thereof; that no taxes shall be imposed by the State on lands or property therein belonging to or which may hereafter be purchased by the United States or reserved for its use; but nothing herein, or in the ordinance herein provided for, shall preclude the said State from taxing, as other lands are taxed, any lands owned or held by any Indian who has severed his tribal relations and has obtained from the United States or from any person a title thereto by patent or other grant, save and except such lands as have been or may be granted to any Indian or Indians under any act of Congress containing a provision exempting the lands thus granted from taxation; but said ordinance shall provide that all such lands shall be exempt from taxation by said State so long and to such extent as such act of Congress may prescribe.

Third. That the debts and liabilities of said Territory, under authority of the legislative assembly thereof, shall be assumed and paid by said State.

Fourth. That provision shall be made for the establishment and maintenance of a system of public schools, which shall be open to all the children of said State and free from sectarian control.

SEC. 4. That in case a constitution and State government shall be formed in compliance with the provisions of this act, the convention forming the same shall provide by ordinance for submitting said constitution to the people of said State for its ratification or rejection, at an election to be held on the Tuesday next after the first Monday in November, eighteen hundred and ninety-five, at which election the qualified voters of said proposed State shall vote directly for or against the proposed constitution, and for or against any provisions separately submitted. The return of said election shall be made to the said Utah Commission, who shall cause the same to be canvassed, and if a majority of the votes cast on that question shall be for the constitution, shall certify the result to the President of the United States, together with a statement of the votes cast thereon, and upon separate articles or propositions, and a copy of said constitution, articles, propositions, and ordinances. And if the constitution and government of said proposed State are republican in form, and if all the provisions of this act have been complied with in the formation thereof, it shall be the duty of the President of the United States to issue his proclamation announcing the result of said election, and thereupon the proposed State of Utah shall be deemed admitted by Congress into the Union, under and by virtue of this act, on an equal footing with the original States, from and after the date of said proclamation.

SEC. 5. That until the next general census, or until otherwise provided by law, said State shall be entitled to one Representative in the House of Representatives of the United States, which Representative in the Fifty-fourth Congress, together with the governor and other officers provided for in said constitution, may be elected on the same day of the election for the adoption of the constitution; and until said State officers are elected and qualified under the provisions of the constitution, and the State is admitted into the Union, the Territorial officers shall continue to discharge the duties of the respective offices in said Territory.

SEC. 6. That upon the admission of said State into the Union, sections numbered two, sixteen, thirty-two, and thirty-six in every township of said proposed State, and where such sections, or any parts thereof, have been sold or otherwise disposed of by or under the authority of any act of Congress, other lands equivalent thereto, in legal subdivisions of not less than one quarter section, and as contiguous as may be to the section in lieu of which the same is taken, are hereby granted to said State for the support of common schools, such indemnity lands to be selected within said State in such manner as the legislature may provide, with the approval of the Secretary of the Interior: *Provided*, That the second, sixteenth, thirty-second, and thirty-sixth sections embraced in permanent reservations for national purposes shall not, at any time, be subject to the grants nor to the indemnity provisions of this act, nor shall any lands embraced in Indian, military, or other reservations of any character be subject to the grants or to the indemnity provisions of this act until the reservation shall have been extinguished and such lands be restored to and become a part of the public domain.

SEC. 7. That upon the admission of said State into the Union, in accordance with the provisions of this act, one hundred sections of the unappropriated lands within said State to be selected and located in legal subdivisions, as provided in section six of this act, shall be, and are hereby, granted to said State for the purpose of erecting public buildings at the capital of said State, when permanently located, for legislative, executive, and judicial purposes.

SEC. 8. That lands to the extent of two townships in quantity, authorized by the third section of the act of February twenty-one, eighteen hundred and fifty-five, to be reserved for the establishment of the University of Utah, are hereby granted to the State of Utah for university purposes, to be held and used in accordance with the provisions of this section; and any portions of said lands that may not have

been selected by said Territory may be selected by said State. That in addition to the above, one hundred and ten thousand acres of land, to be selected and located as provided in the foregoing section of this act, and including all saline lands in said State, are hereby granted to said State, for the use of said University, and two hundred thousand acres for the use of an Agricultural College therein. That the proceeds of the sale of said lands, or any portion thereof, shall constitute permanent funds, to be safely invested and held by said State, and the income thereof to be used exclusively for the purposes of such University and Agricultural College, respectively.

SEC. 9. That five per centum of the proceeds of the sales of public lands lying within said State, which shall be sold by the United States subsequent to the admission of said State into the Union, after deducting all the expenses incident to the same, shall be paid to the said State, to be used as a permanent fund, the interest of which only shall be expended for the support of the common schools within said State.

SEC. 10. That the proceeds of lands herein granted for educational purposes, except as hereinafter otherwise provided, shall constitute a permanent school fund, the interest of which only shall be expended for the support of said schools, and such land shall not be subject to preemption, homestead entry, or any other entry under the land laws of the United States, whether surveyed or unsurveyed, but shall be surveyed for school purposes only.

SEC. 11. The schools, colleges, and university provided for in this act shall forever remain under the exclusive control of said State, and no part of the proceeds arising from the sale or disposal of any lands herein granted for educational purposes, or of the income thereof, shall be used for the support of any sectarian or denominational school, college, or university.

SEC. 12. That in lieu of the grant of land for purposes of internal improvement made to new States by the eight section of the act of September fourth, eighteen hundred and forty-one, which section is hereby repealed as to said State, and in lieu of any claim or demand by the State of Utah under the act of September twenty-eighth, eighteen hundred and fifty, and section twenty-four hundred and seventy-nine of the Revised Statutes, making a grant of swamp and overflowed lands to certain States, which grant, it is hereby declared, is not extended to said State of Utah, the following grants of land are hereby made to said State, for the purposes indicated, namely:

For the establishment of permanent water reservoirs for irrigating purposes, five hundred thousand acres; for the establishment and maintenance of an insane asylum, one hundred thousand acres; for the establishment and maintenance of a school of mines in connection with the University, one hundred thousand acres; for the establishment and maintenance of a deaf and dumb asylum, one hundred thousand acres; for the establishment and maintenance of a reform school, one hundred thousand acres; for establishment and maintenance of State normal schools, one hundred thousand acres; for the establishment and maintenance of an institution for the blind, one hundred thousand acres; for a miners' hospital for disabled miners, fifty thousand acres. The United States penitentiary near Salt Lake City and all lands and appurtenances connected therewith and set apart and reserved therefor are hereby granted to the State of Utah.

The said State of Utah shall not be entitled to any further or other grants of land for any purpose than as expressly provided in this act; and the lands granted by this section shall be held, appropriated, and disposed of exclusively for the purposes herein mentioned, in such manner as the legislature of the State may provide.

SEC. 13. That all land granted in quantity or as indemnity by this act shall be selected, under the direction of the Secretary of the Interior, from the unappropriated public lands of the United States within the limits of said State of Utah.

SEC. 14. That the State of Utah shall constitute one judicial district, which shall be called the district of Utah, and the circuit and district courts thereof shall be held at the capital of this State for the time being. The judge of said district shall receive a yearly salary of five thousand dollars, payable monthly, and shall reside in his district. There shall be appointed clerks of said courts, who shall keep their offices at the capital of said State. There shall be appointed for said district one district judge, one United States attorney, and one United States marshal. The regular terms of said courts shall be held at the place aforesaid on the first Monday in April and the first Monday in November of each year. For judicial purposes, the district of Utah shall be attached to the eighth judicial circuit. and only one grand jury and one petit jury shall be summoned in both of said courts.

SEC. 15. That the circuit and district courts for the district of Utah and the judges thereof, respectively, shall possess the same powers and jurisdiction and perform the same duties possessed and required to be performed by the other circuit and district courts and judges of the United States, and shall be governed by the same laws and regulations.

SEC. 16. That the marshal, district attorney, and clerks of the circuit and district courts of the said district of Utah, and all other officers and other persons performing duty in the administration of justice therein, shall severally possess the powers and perform the duties lawfully possessed and required to be performed by similar officers in other districts of the United States, and shall, for the services they may perform, receive the same fees and compensation allowed by law to other similar officers and persons performing similar duties.

SEC. 17. That the convention herein provided for shall have the power to provide, by ordinance, for the transfer of actions, cases, proceedings, and matters pending in the supreme or district courts of the Territory of Utah at the time of the admission of the said State into the Union, to such courts as shall be established under the constitution to be thus formed, or to the circuit or district court of the United States for the district of Utah; and no indictment, action, or proceeding shall abate by reason of any change in the courts, but shall be proceeded with in the State or United States courts according to the laws thereof, respectively. That all cases of appeal or writ of error heretofore prosecuted and now pending in the Supreme Court of the United States upon any record from the supreme court of said Territory, or that may hereafter lawfully be prosecuted upon any record from said court, may be heard and determined by said Supreme Court of the United States; and the mandate of execution or of further proceedings shall be directed by the Supreme Court of the United States to the circuit or district court hereby established within the said State from or to the supreme court of such State, as the nature of the case may require. And the circuit, district, and State courts herein named shall, respectively, be the successors of the supreme court of the Territory as to all such cases arising within the limits embraced within the jurisdiction of such courts, respectively, with full power to proceed with the same, and award mesne or final process therein; and that from all judgments and decrees of the supreme court of the Territory, mentioned in this act, in any case arising within the limits of the proposed State prior to admission, the parties to such judgment shall have the same right to prosecute appeals and writs of error to the Supreme Court of the United States as they shall have had by the law prior to the admission of said State into the Union.

SEC. 18. That the sum of thirty thousand dollars, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated to said Territory for defraying the expenses of said convention and for the payment of the members thereof, under the same rules and regulations and at the same rates as are now provided by law for the payment of the territorial legislature.

SEC. 19. That the constitutional convention may, by ordinance, provide for the election of officers for a full State government, including members of the legislature and Representative in the Fifty-fourth Congress, at the time for the election for the ratification or rejection of the constitution; but the said State government shall remain in abeyance until the State shall be admitted into the Union as proposed by this act. In case the constitution of said State shall be ratified by the people, but not otherwise, the legislature thereof may assemble, organize, and elect two Senators of the United States in the manner now prescribed by the laws of the United States; and the governor and secretary of state of the proposed State shall certify the election of the Senators and Representative in the manner required by law, and when such State is admitted into the Union, as provided in this act, the Senators and Representative shall be entitled to be admitted to seats in Congress, and to all rights and privileges of Senators and Representatives of other States in the Congress of the United States; and the State government formed in pursuance of said constitution, as provided by the constitutional convention, shall proceed to exercise all the functions of State officers; and all laws in force made by said Territory at the time of its admission into the Union shall be in force in said State, except as modified or changed by this act or by the constitution of the State; and the laws of the United States shall have the same force and effect within the said State as elsewhere within the United States.

SEC. 20. That all acts or parts of acts in conflict with the provisions of this act, whether passed by the legislature of said Territory or by Congress, are hereby repealed.

Approved July 16, 1894.

REGISTRATION FOR 1894-95.

At the session of the board held July 13, 1894, a full set of registrars, one for each county, was appointed, in compliance with the provisions of the law relating thereto, making a total of twenty-seven, as follows:

Name.	Residence.
George H. Fennemore	Beaver City, Beaver County.
William Lowe	Willard, Boxelder County.
Hyrum Hayball	Logan, Cache County.
C. A. Robinson	Scofield, Carbon County.
J. G. M. Barnes	Kaysville, Davis County.
V. D. Cram	Huntington, Emery County.
Samuel O. Crosby	Panguitch, Garfield County.
Henry Crouse	Moab, Grand County.
N. W. Pryor	Cedar City, Iron County.
E. J. McCune	Nephi, Juab County.
Fuller Broadbent	Kanab, Kane County.
James A. Melville	Fillmore, Millard County.
T. R. Condie	Croyden, Morgan County.
Samuel L. Page	Greenwich, Piute County.
Anson C. Call	Randolph, Rich County.
F. A. Hammond	Bluff, San Juan County.
Joseph M. Cohen	Salt Lake, Salt Lake County.
M. F. Murray	Ephraim, Sanpete County.
I. J. Stewart	Richfield, Sevier County.
Thomas Cupit	Park City, Summit County.
W. C. Foster	Tooele, Tooele County.
Lycurgus Johnson	Vernal, Uintah County.
J. B. Millner	Provo City, Utah County.
William Buys	Heber City, Wasatch County.
E. H. Snow	St. George, Washington County.
Charles Snow	Teasdale, Wayne County.
John Seaman	Ogden City, Weber County.

At the succeeding sessions held from July 20 to August 1, deputy registrars to the number of 325 (one for each election precinct) were named, and their commissions duly issued. Suggestions formulated in compliance with the provisions of the statutes and the rules of preceding commissions were supplied to both sets of officers for information and guidance. The registration throughout the Territory was conducted in a manner satisfactory to the electors and to the Commission as well. The only questions of difference arose over the matter of formulating the oaths required of voters at the Territorial elections, as also for delegates to the constitutional convention under the enabling act. Consultation with leading attorneys, and also with the chairmen of the several political organizations, resulted in the adoption of forms consistent with the statutes and the acts named, and, so far as known, none were prevented from casting their ballots for one or both sets of officers, as they may have been qualified. The total registered vote of the Territory (for Territorial purposes) was 48,834, and the total, for electors qualified to vote for delegates to a convention to form a constitution for the proposed State of Utah, was 45,624.

For the county of Salt Lake, which embraced over one-fourth of the registered voters of the Territory, the Commission named as registrar Joseph M. Cohen—a man of experience, of many years residence, and in every way qualified to discharge the duties of the position. The work of registration was proceeded with until the third week, during which complaints were made by the county Republican committee to the effect that deputy registrars in several of the county precincts were not properly discharging their duties, but a careful investigation disclosed the fact that the charges were groundless. On September 17

the same committee, through its chairman and secretary, waited upon the county registrar and requested that he would furnish such committee with copies of the registration lists to that date. The registrar informed the committee that he would not furnish lists to one of the political organizations unless both requested them, and as no such request had been made by the Democratic committee, he declined to comply with that of the Republican committee. On the same day the county Republican committee appointed the following-named gentlemen, to wit: Arthur Brown, C. W. Bennett, Heber M. Wells, W. S. McCornick, George M. Cannon, and W. F. James, as a special committee to make a formal demand upon the registrar for copies of the lists, which they did, on the grounds that they were public records. The demand was refused by the registrar, he assuming the position that the lists were not public records until they were completed and filed with the county clerk.

At a called meeting of the Commission, held September 19, 1894, the following communication was laid before the board:

SALT LAKE CITY, UTAH, *September 18, 1894.*

GENTLEMEN (and to you, Mr. Chairman, if there is not a quorum present): The undersigned have been appointed a committee of the Republican party and by the Republican committees to attempt to see that a fair and honest registration is had, and with a view to that and for the purpose of securing a full and complete and honest registration, we ask of the registrar of Salt Lake County a copy of the registration as it has proceeded to this date. He has referred us to you, and at present refuses to give us this. Of course we expect to pay for it, whatever the reasonable and proper charges may be. We appeal to you to direct him to give us such certified copy upon payment of the fees. These records are taken and can be taken only for the public. The registration list becomes a part of the machinery of carrying out the electoral will. Every step the registrar takes is a part of the machinery of the election and the expression of the right of the public. In every sense his records are public. His refusal to grant it to us we regard as a violation of the right due to every person. We think that he can be compelled by law to do it, but the delays of the law might render the use of it nugatory. In fairness, we ask of you and demand of you to take such action as shall compel Joseph M. Cohen to give us a certified copy of the registration upon payment of fees. The statutes and law require him to do it and the court would compel him, but the delay of the law would take the use away. Therefore we appeal to this Commission and to you, Mr. Letcher, in the absence of a quorum, to see that justice is done in this way. Whether you may be able to compel him by direct order or not is immaterial here; you can compel him by saying it is his duty to do it, and we ask you to do so.

ARTHUR BROWN,
HEBER M. WELLS,
GEORGE M. CANNON,
C. W. BENNETT,
W. S. MCCORNICK,
Special Committee.

W. F. JAMES,
County Chairman.

Hon. J. R. LETCHER,
Chairman, and Members of the Utah Commission.

In response to this communication, after a thorough canvass of the question and reference to the laws and decisions of the courts, as also to the action of the Commission previously in similar cases, the following reply was made:

OFFICE OF UTAH COMMISSION,
Salt Lake City, Utah, September 19, 1894.

ARTHUR BROWN, GEORGE M. CANNON, W. F. JAMES, et al.,
Committee, etc.

DEAR SIRS: Your communication of the 18th instant, wherein you state that you have been appointed a committee on behalf of the Republican party to attempt to see that an honest and fair registration is had, etc., and with a view to that end you

had asked the registrar of Salt Lake County for a copy of the registration lists, as it has proceeded to this date, and that he had refused the same and referred you to this Board for action in the matter, is at hand. In consequence of such refusal on the part of the registrar, you now ask this Board to take such action as shall compel him to give you a certified copy of the registration, upon the payment of fees, or declare that it is his duty so to do, for the reason that you have not a sufficiently speedy remedy at law to secure the end desired. In reply, I am directed by the Board to say, that the powers and duties of this Board in matters pertaining to the question in hand were fully considered by the Supreme Court of the United States in the case of Murphy *v.* Ramsey (114 U. S.), wherein Mr. Justice Matthews, in delivering the opinion, among other things said: "An examination of the ninth section of the act of March 22, 1882, providing for the appointment and prescribing the duties and powers of that Board, shows that they have no functions whatever in respect to the registration of voters, except the appointment of officers in place of those previously authorized, whose offices are by that section of the law declared to be vacant, and the persons appointed to succeed them are not subject to the direction and control of the Board, but are required, until other provision be made by the legislative assembly of the Territory, to perform all the duties relating to the registration of voters, under the existing laws of the United States and of the Territory."

In view of the foregoing, this Board does not consider that it has any authority to act in the premises.

Very respectfully,

JERROLD R. LETCHER, *Chairman.*

I concur in the foregoing.

A. G. NORRELL, *Commissioner.*

I concur in the above to the extent that we have no power to compel the registrar of Salt Lake County to furnish this list, but in the above answer I do not think we have gone far enough. The committee has asked us to define the duties of the county registrar, in substance, that he may clearly know whether it is proper or not to furnish such a list. This request we have disregarded. In looking over the records of the Commission I notice that it has often issued circulars in which suggestions are made to the registrars, to the end that the law may be administered in fairness to all parties. As an instance, I cite circular issued July 26, 1890, signed by G. L. Godfrey, chairman. In keeping with this precedent, I am of the opinion that it is right and proper for us, as a board of registration and election, to suggest to the county registrar what we consider to be right in the premises. It is a matter of general repute that the county registrar has heretofore furnished this list, upon application, to the regularly constituted committees of either or both parties, and while I do not think we have the power to compel this service, I see no objection to its performance, and certainly have no objection to saying so.

HOYT SHERMAN, JR., *Commissioner.*

In support of the position taken by the majority of the Commission reference may be made to the second annual report, that of October 30, 1893, also to the ninth annual report, August 22, 1890, wherein this same question was passed upon by the Commission and the conclusion reached as in that above.

On the first day of the revision week the county Republican committee requested the registrar to permit them to make a comparison of the registration list with one which they had caused to be made of voters throughout the city of Salt Lake, and designated a committee of two from each precinct to perform the work, and a similar request was made of the deputies in each precinct, but all such requests were refused. The refusal of the registrar and the answer of the Commission not being satisfactory to the parties applying, steps were taken to secure a decision of the question through the courts. On September 24 application was made for writs of mandate against the registrar, directing him to allow the petitioners to inspect the registration lists as compiled to that date. The cases were heard on September 27, and the court rendered the following decision:

[Territory of Utah, in the third judicial district court. W. F. James et al. v. Joseph M. Cohen, registrar, etc. Before Samuel A. Merritt, judge.]

I have listened to this case with a great deal of attention. I must remark first that the evidence of the complainants in this case has fallen very far short of their high sounding manifestoes. This man Cohen, the registrar, is presumably a reputable man. Complainants have brought in a whole parcel of charges which are not supported by a scintilla of evidence; not a single attempt to support them; things are charged against him that are scandalous and, I may say, libelous. They come into court and make charges against the registrar affecting his character and his integrity; charges that if true would subject him to imprisonment in the penitentiary, and making those charges and heralding them abroad and placing them on the records of this court, they do not attempt to offer a scintilla of evidence in support of them.

The argument of counsel has not the support of any testimony. Statements are made in argument that certain testimony is given which in fact was not offered. One statement was made that Cohen, the registrar, said he would give a list of the names upon the order of the Democratic central committee, or some committee, but no attempt has been made and no offer has been made to prove or show any such state of fact.

Mr. James says he is chairman of the county Republican committee. I think this gentleman magnifies his office greatly when he says he has charge and control of that great party. He is an officer unknown to the law; he can not speak for the whole Republican party any more than I could if I was chairman of the Democratic central committee, speak for the whole Democratic party of Utah Territory.

Coming to the second case. (Here the judge quoted the Territorial statutes in reference to the issuance of the writ of mandamus.) The statute further provides that any man who is a citizen and is entitled to register may go at any time and see if his name has been omitted, and if it has been, have it placed on the rolls, within the time provided by law; he has a right to go there and inspect the rolls and see if he has been properly registered, and see whether or not he is in a situation to exercise the elective franchise. The elective franchise is a very high privilege in this country, but it is a great deal prostituted in this great Government of ours, and is often exercised by many unworthy men. But it is a personal privilege and can not be delegated by one man to another; therefore I say that in this second case these men have no right to delegate to Mr. Rognon the right to go there and make this inspection of the rolls for them. Here they have a verified complaint saying that business men have not got time to see whether or not they have been omitted from the rolls and have not time to see that their names are placed on the list. It is a singular thing. I know when I returned from Alaska, although I was very busy, I went and saw whether I was registered. I thought it was my duty if I desired to exercise the highest privilege of an American citizen to go there and see if I was registered. It is singular that any man can swear that that burden is too great to be imposed upon the business men of Salt Lake City. The court can not credit such a statement. Because a man swears to it does not make it true; it must be consistent with common sense and common experience.

In my opinion complainants have not made a ghost of a case, and I therefore deny the writ.

The registration in Salt Lake County for 1894 was the most thorough and complete since the organization of this Commission. While in previous years numerous complaints were filed, reaching as high as 800 in a single year, in 1894 not one was presented to the officer authorized to hear such.

The same statement may be made with perfect truthfulness as to the general conduct of the registration throughout the Territory.

AMNESTY GRANTED.

On the 4th of January, 1893, the President of the United States issued the following proclamation:

Whereas Congress, by a statute approved March 22, 1882, and by statutes in furtherance and amendment thereof, defined the crimes of bigamy, polygamy, and unlawful cohabitation in the Territories and other places within the exclusive jurisdiction of the United States and prescribed a penalty for such crimes; and

Whereas, on or about the 6th day of October, 1890, the Church of Jesus Christ of Latter-day Saints, commonly known as the Mormon Church, through its president, issued a manifesto proclaiming the purpose of said church no longer to sanction the practice of polygamous marriages and calling upon all members and adherents of said church to obey the laws of the United States in reference to said subject-matter; and

Whereas it is represented that since the date of said declaration the members and adherents of said church have generally obeyed said laws and have abstained from plural marriages and polygamous cohabitation; and

Whereas, by a petition dated December 19, 1891, the officials of said church, pledging the membership thereof to a faithful obedience to the laws against plural marriage and unlawful cohabitation, have applied to me to grant amnesty for past offenses against said laws, which request a very large number of influential non-Mormons residing in the Territories have also strongly urged; and

Whereas the Utah Commission in their report bearing date September 15, 1892, recommended that said petition be granted and said amnesty proclaimed, under proper conditions as to the future observance of the law, with a view to the encouragement of those now disposed to become law-abiding citizens; and

Whereas during the past two years such amnesty has been granted to individual applicants in a very large number of cases, conditioned upon the faithful observance of the laws of the United States against unlawful cohabitation, and there are now pending many more such applications:

Now, therefore, I, Benjamin Harrison, President of the United States, by virtue of the power in me vested, do hereby declare and grant a full amnesty and pardon to all persons liable to the penalties of said act by reason of unlawful cohabitation under the color of polygamous or plural marriage, who have since November 1, 1890, abstained from such unlawful cohabitation; but upon the express condition that they shall in the future faithfully obey the laws of the United States hereinbefore named, and not otherwise. Those who shall fail to avail themselves of the clemency hereby offered will be vigorously prosecuted.

When the time arrived for making the registration for that year the Commission found itself confronted with the legal proposition presented by the apparent conflict between the proclamation and the existing statutes. It sought the opinion, through the Secretary of the Interior, of the Attorney-General, but he declined to render any upon the ground that he had no authority to advise the Commission in the exercise of its duties. The Commission in itself was divided in opinion as to the efficacy of the amnesty to relieve certain parties in Utah from their prior disabilities, as were the most eminent lawyers and jurists of the Territory, the majority being of the opinion that a strict construction of the acts of Congress and the decision of the Supreme Court would operate to the continued disfranchisement of the classes as electors hitherto affected. But it finally concurred in a circular to the registration officers advising them to permit affected classes to register on taking the proper oath, provided they did not come within the exception named in the proclamation.

When the present Board framed the instructions for 1894, the form of oath to be taken by the electors was so worded as to conform to the requirements of the statutes, modified by the foregoing proclamation, but on September 27, 1894, during the week for revision of the registration lists, the following proclamation was issued by the President of the United States:

Whereas Congress, by a statute approved March 22, 1882, and by statutes in furtherance and amendment thereof, defined the crime of bigamy, polygamy, and unlawful cohabitation in the Territories and other places within the exclusive jurisdiction of the United States, and prescribed penalty for such crimes; and

Whereas, on or about the 6th day of October, 1890, the Church of Jesus Christ of Latter-day Saints, commonly known as the Mormon Church, through its president, issued a manifesto proclaiming the purpose of said church no longer to sanction the practice of polygamous marriages, and calling upon all members and adherents of said church to obey said laws of the United States in reference to said subject-matter; and

Whereas, on the 4th day of January, A. D. 1893, Benjamin Harrison, then President of the United States, did declare and grant full pardon and amnesty to certain offenders under said acts, upon condition of future obedience to their requirements, as is fully set forth in said proclamation of amnesty and pardon; and

Whereas, upon the evidence now furnished me I am satisfied the members and adherents of said church generally abstain from plural marriages and polygamous cohabitation, and are now living in obedience to the laws, and the time has now arrived when the interests of public justice and morality will be promoted by the

granting of amnesty and pardon to all such offenders as complied with the condition of said proclamation, including such of said offenders as have been convicted under the provisions of said act:

Now, therefore, I, Grover Cleveland, President of the United States, by virtue of the powers in me vested, do hereby declare and grant a full amnesty and pardon to all persons who have in violation of said acts committed either of the offenses of polygamy, bigamy, adultery, or unlawful cohabitation under the color of polygamous or plural marriage, or who, having been convicted of violation of said act, are now suffering deprivation of civil rights in consequence of the same, excepting all persons who have not complied with the conditions contained in said executive proclamation of January 4, 1893.

Immediately upon the receipt of this proclamation the electoral oaths were again modified so as to enable all persons qualified thereunder to be duly registered, and although this change came very late in the period during which registration could be made, yet, with scarcely an exception, every qualified elector had the opportunity to be properly registered within the period fixed by statute.

JUDGES OF ELECTION.

At a session of the Board held October 8, 1894, a full set of judges for each of the polling places throughout the Territory were appointed, numbering about 1,100. As in the case of the registration officers, a circular for their information and guidance, embodying the provisions of the statutes as to the conduct of the election, the requisite oaths for electors qualified to vote for Territorial as well as officers to be chosen under the enabling act, was duly issued.

For the convenience of the voter, two ballot boxes, as also two kinds of envelopes and registry books, were provided at each poll in order to avoid any confusion or mistake that might arise by reason of the double election.

ELECTION OF 1894.

The election of 1894 was held on Tuesday, November 6, at which time a full set of Territorial and county officers, as also delegates apportioned among the several counties to the convention authorized to frame a constitution for the proposed State of Utah, were voted for. Every precaution necessary to enable the registered electors to cast their ballots with the greatest facility had been taken by the Commission. In all the larger towns and cities polling places were created, whereby the delays and confusion often incident to such occasions were practically avoided. The registration officers for each precinct were instructed to be present at their respective polling places for the purpose of correcting any mistakes which might have been made during the registration, to the end that no one entitled to vote should be prevented from doing so by reason of any error or mistake on the part of the officials having this work in charge.

So far as known, all persons qualified under the law were allowed the opportunity to vote. In the larger centers but few changes or corrections of any character were necessary, and in almost every instance these were caused by the neglect or carelessness of the elector. All such matters were promptly adjusted, and the election throughout the Territory passed off without disturbance or interruption.

There were three general tickets in the field—the Democratic, Republican, and the Populists—each headed by prominent citizens as candidates for the position of Delegate to the Fifty-fourth Congress.

MAKING THE RETURNS.

Following the precedent established by the former Commissions in their construction of the law, the present Board directed the election officers to make all the returns, including the poll lists, registration books used by the judges, and tally sheets, direct to the secretary of the Commission, the same to be forwarded immediately after the canvass of the votes had been completed. As to the ballot boxes, they were required to be held for the period of sixty days, and if not called for within that time by the Commission to be returned to the clerk of the county court of each county.

Owing to the fact that many of the precincts were widely scattered and distant from the centers, with infrequent mail facilities, the returns from many of them were not received until two weeks and more after the election, and in some instances not until repeated inquiries had been made regarding them.

On November 8 the following communication was received by the Board:

SALT LAKE CITY, *November 8, 1894.*

DEAR SIR: We are informed there are certain irregularities connected with the counting of the ballots in several of the polling places in this city which are likely to result in a contest, and we therefore request your body to call in all the ballot boxes, that every precaution be maintained to prevent the charge of unfairness or impropriety.

Very respectfully,

JOHN T. CAINE,
C. R. BARRATT,
W. H. DALE,
R. W. SLOAN,
Of the Territorial Democratic Committee.

JERROLD R. LETCHER,
Chairman Utah Commission.

In conformity with the foregoing request the Board issued an order to the judges of the several polls in Salt Lake City directing them to deliver all the ballot boxes to the Commission forthwith, and during the week succeeding the request they were all received and duly placed under seal and lock.

BOARD OF CANVASSERS.

On November 17, 1894, the Commission met and made the following order:

Resolved, That in pursuance of the provisions of section 9 of an act of Congress amending section 5352 of the Revised Statutes of the United States, approved March 22, 1882, and of Chapter IX of the Compiled Laws of Utah, 1888, the following-named persons, to wit, W. H. Dale, chairman; John J. Thomas, A. E. Hyde, V. M. C. Silva, and William Harcombe, be, and the same are hereby, appointed as a board to canvass the returns of the general election held in the Territory of Utah on Tuesday, November 6, 1894, for Delegate to the Fifty-fourth Congress, commissioners to locate university land, and also for county and precinct officers in the several counties.

The said board of canvassers will convene at the rooms of the Utah Commission in the capitol building at Salt Lake City, Utah, on Tuesday, November 20, 1894, at 11 o'clock a. m., at which times (and on succeeding dates) the election returns may be opened in the presence of this Commission, and the said board shall carefully examine the returns for said election and duly canvass the same in accordance with the law and the statutes thereto pertaining, and proceed to ascertain the number of votes cast for each person for the several offices named, and make an abstract thereof, in duplicate, and certify the result of such canvass to this Commission for record.

The Territorial secretary (who is ex officio secretary of this Commission) is hereby authorized and required to determine by lot all cases of tie votes as the law provides and make out and transmit a certificate of election to each person ascertained to have been elected by the said board of canvassers.

The board of canvassers hereby appointed shall hold their positions until the completion of such canvass, unless removed by the Commission for cause (the right of removal being hereby expressly reserved), and all vacancies occasioned on said board by death, resignation, or removal shall be filled by this Commission. Members of the board of canvassers shall receive as compensation $5 per day and mileage for the time actually and necessarily occupied in performing the duties hereby imposed.

On Tuesday, November 20, 1894, the Commission again met and Mr. W. H. Dale, chairman of the canvassing board, having declined to act in that capacity, Mr. Charles C. Dey was named in his place. The other members of the board (except A. E. Hyde, who appeared the following day) were duly sworn to discharge the duties incumbent upon them, and the Commission then made the following order:

That this Commission now proceed to open the returns for Territorial and county officers from the several counties in the Territory and deliver the same to the canvassing board, and also that the Commission proceed with the canvass of the returns for delegates to the constitutional convention.

The board of canvassers above named at once entered upon the discharge of their duties, continuing in session from day to day until December 14, at which time they made their final report and were duly discharged.

Before beginning the canvass of the returns (by either the Commission or canvassing board) legal counsel were invited to give their views upon the following questions:

First. Of what do the election returns consist?

Second. In case of irregularities arising (or are claimed), to what should the canvassing boards resort?

Third. In case only the duplicate tally sheets are returned and show no irregularities or discrepancies, and it is claimed that such exist, and that a comparison of the poll books and tally sheets would show them, should such books be ordered in for the use of the boards?

In response to the request of the Commission Hons. P. L. Williams, O.W. Powers, C.W. Bennett, and James A. Miner, prominent attorneys of the Salt Lake bar (from both political parties), gave as their opinion that, under the statutes, the election returns consisted of the registry books (with the word voted marked opposite each elector's name voting), the poll lists (containing the names of the electors in the order in which they voted), the tally sheets in duplicate (containing the names of persons voted for, with tally marks and footings made by the judges), and that when there are discrepancies between the returns which might affect the result it would be the duty of the canvassing boards to resort to the ballot boxes and make a recount of the ballots. Acting upon this advice, each board proceeded with the canvass of the returns, the Commission having in charge the question of determining who were elected as delegates to a convention authorized to frame a constitution for the proposed State of Utah, while the board of canvassers had charge of the returns for Territorial officers.

The work of the latter board proceeded without interruption or unusual occurrence until it came to consider the returns from Juab, Utah, and Weber counties. In the first two named it became necessary to resort to the ballot boxes in order to determine the right of candidates to several minor offices, and the ballot boxes were ordered in and the recount made. In the county of Weber the discrepancies in the vote for county clerk were of such a character that a recount of several precincts was deemed necessary, and the ballot boxes were resorted to as a final solution of the issue, and while finding numerous changes the ultimate result was in no wise affected from that which was shown by the returns. During the course of this latter investiga-

tion proceedings in mandamus were begun against the canvassing board, but ultimately dismissed by the petitioners before issue was reached in court. On the 6th of December Mr. Dey resigned as a member of the board and A. T. Schroeder was named as his successor, and under the charge of the canvassers named the work was finally concluded.

CANVASS OF VOTES FOR CONSTITUTIONAL DELEGATES.

Pursuant to the order made November 20, 1894, the Commission proceeded to canvass the returns for delegates to the constitutional convention in accordance with the provisions of the enabling act, requiring that the same be done in the same manner as in the case of the canvass for members of the legislative assembly. On November 23 the following communication was laid before the Board:

SALT LAKE CITY, UTAH, *November 19, 1894.*

DEAR SIR: It has come to my knowledge, as chairman of the Territorial Democratic campaign committee, that in some of the precincts of this Territory there have been grave errors in counting the votes for delegates to the constitutional convention, and that a recount of said votes will show a very different state of facts than those indicated by the returns, or indicated by what I suppose the returns contain, from the statements made by the newspapers. Of course I have no means of knowing whether there are any irregularities or discrepancies appearing in the returns that would be sufficient to warrant a canvass of the votes by your Board, but I give you the names of the precincts to which I refer, so that if in comparing the returns there are any such irregularities, etc., you may be advised. The names of the precincts and counties are as follows: Grampion, Beaver County; Boxelder and Willard, Boxelder County; Cedar City, Iron County; Nephi, Juab County; Park City, Summit County; Tooele, Tooele County; Ephraim, Manti, Fayette, and Mount Pleasant, Sanpete County; second, third, fourth, and fifth precincts, Salt Lake City, Salt Lake County.

Yours, respectfully,

H. J. DIVINNY,
Chairman Territorial Democratic Campaign Committee.

HON. JERROLD R. LETCHER,
Chairman Utah Commission.

On or about November 26, 1894, Hon. James A. Miner, as attorney for A. B. Hayes, one of the candidates for delegate to the constitutional convention, filed a petition asking the Commission to make a recount of the votes cast in several of the precincts in Weber County on the ground that the election had been improperly conducted and that the irregularities and discrepancies in the returns were of such a character as to render it impossible to rightly determine therefrom who were legally elected. The vote in this county between several of the candidates was very close.

Also, on the same date, the following was filed:

SALT LAKE CITY, UTAH, *November 24, 1894.*

GENTLEMEN: Having become fully convinced that the candidates for the constitutional convention have not received credit for the proper number of votes cast for them by the electors of the third (Salt Lake City) precinct in the election held November 6, 1894, I hereby most respectfully ask and demand that the ballot boxes of said precinct be reopened and the ballots for candidates to the constitutional convention be recounted. In making this request I refer to the affidavits of J. T. Raleigh and J. E. Pike hereto attached. The fact has become notorious that the ballots in the third precinct were not correctly counted, and that if a recount be had sufficient errors will be found to probably change the result of the election. Believing that in the interest of fairness to all parties concerned you will order a recount,

I remain, yours, most respectfully,

H. A. SMITH,
Candidate for Constitutional Convention.

THE UTAH COMMISSION.

The advice of counsel having been invited, as above stated, pending the hearing of the same the chairman was instructed to order in the ballot boxes from the several precincts in dispute preparatory to making such recount as might be shown to be necessary.

COUNTIES IN DISPUTE.

From an examination of the returns made to the Commission it was found that discrepancies and irregularities existed in the counties of Beaver, Boxelder, Salt Lake, Sanpete, and Weber, by which the result of the elections of some of the candidates might be affected.

BEAVER COUNTY.

On December 11, 1894, the following protest was filed in the matter of the election of delegate in Beaver County:

JOHN W. CHRISTIAN
v.
ANDREW S. ANDERSON. } Contest before Utah Commission.

Your protestant, George H. Fennemore, respectfully shows that according to his information and belief Andrew S. Anderson, returned as elected from Beaver County to the constitutional convention, is ineligible to a seat in said body on account of nonresidence. * * *

Your protestant affirms upon belief that said Anderson is a resident of the State of Idaho; that he holds in his own name a homestead entry there upon which a portion of his family are now living; that he now contemplating engaging in a business enterprise there; that his name does not appear upon the tax rolls of Beaver County, and that he has not until the last election registered or voted in said Beaver County since coming there from Idaho a few years ago; that this return was under compulsion and not with a bona fide intent of making Utah his home; that he does not actually occupy any part of it as his home, but simply as an employee of a mining company at Frisco, in said county; that whatever taxable property he may have has not been taxed for said reason. * * *

Your protestant further presents, upon his information and belief, that a great number of votes by those occupying similar positions by said Anderson and are not citizens within the meaning of the law, and your protestant believes that a majority of the legal votes cast for a qualified candidate, next to John R. Murdock, were cast for John W. Christian, and asks that he receive the benefit of any action which this Commission may take.

Your protestant further believes that said Anderson was pardoned for a crime committed against the laws of the United States, as a citizen of Idaho, and after his said assumed election.

GEORGE H. FENNEMORE.

S. A. KENNER, *Attorney for Protestant.*

The hearing of the above cause having been set for February 12, 1895, the same was then taken up and considered and on the proof and argument of counsel, and after hearing the same, the Commission awarded the certificate of election to the contestee, Andrew S. Anderson.

BOXELDER COUNTY.

An examination of the returns from Boxelder County showed the following (as to six precincts):

Precinct.	Registry books.	Poll lists.	Tally sheets.	Discrepancies.
Boxelder	413	422	418	9
Calls Fort	Out.	77	77	.....
Junction	24	25	25	1
Malad	72	72	73	1
Plymouth	64	Out.	64	.....
Willard	141	138	138	3

Two of the returns not being received, and the discrepancies amounting to 14, affecting at least two of the candidates.

Thereupon the Commission directed that the ballot boxes from the above named precincts be ordered in from the judges of election for the purpose of making a recount should the same be deemed necessary.

December 14 the Hon. Charles Crane appeared before the Commission and made demand in writing for the issuance of certificates of election to W. H. Gibbs and Peter Lowe, two of the candidates for delegate to the constitutional convention, and on the following day writs of prohibition were served upon the Commission, commanding it to refrain from certifying the result of said election otherwise than from the returns until the further order of the court, and were made returnable on December 27.

SANPETE COUNTY.

At the meeting of the Board held December 4, 1894, Commissioner Tatlock offered the following resolution:

That this Board proceed to declare and certify the vote in Sanpete County for delegates to the constitutional convention as the same appears from the returns of the several precincts which have been certified to this Board by the judges of election therein.

The returns of said county were then taken up and examined, showing the following:

Precinct.	Registry books.	Poll lists.	Tally sheets.	Discrepancies.
Chester	49	48	48	1
Ephraim	379	a 372	a 372	7
Fair View	253	259	249	10
Fayette	49	49	49	.....
Fountain Green	146	147	146	1
Gunnison	255	252	252	3
Manti	462	466	a 461	5
Mayfield	74	74	73	1
Milburn	40	40	40	.....
Moroni	237	231	231	6
Mount Pleasant	468	507	500	9
Spring City	205	206	205	1
Sterling	56	56	56	.....
Thistle	23	(a)	23	.....
Wales	62	62	62	.....

a In Ephraim precinct one sheet was missing from the poll list and no tallies were kept; at Manti no tallies were made, and at Thistle poll lists were not returned, but afterwards found in the ballot box.

The further consideration of this county was laid over until the succeeding day, at which time Commissioner Norrell offered the following as a substitute for the resolution of Commissioner Tatlock:

Whereas discrepancies and irregularities in the returns for ten out of fifteen precincts in Sanpete County are such that the result of the election for delegates to the constitutional convention might be affected thereby: Therefore

Resolved, That this Commission proceed at once to open the ballot boxes in each precinct where such discrepancies and irregularities occur and canvass the ballots therein, in order to determine and certify the proper result of said election.

The substitute was adopted, and on the following day a demand was made by Hon. Charles Crane, chairman of the Republican Territorial committee, in behalf of several candidates, as follows:

To the UTAH COMMISSION:

In the name and for and in behalf of Parley Christianson, J. L. Jolley, J. D. Page, C. P. Larson, A. C. Lund, J. C. Peterson, and Lauritz Larsen, and each of them severally, I demand that you accept the returns from Sanpete County of the election of the delegates to the constitutional convention as correct, and that you declare the

result of said election from said county, and that the abstracts of the result, required by law, be made and certified, and that the certified copy of the names of the persons voted for, and the number of votes received by each for the office of delegate to said convention from said county be made, and that certificates of election of such delegates be issued and transmitted to said persons severally.

Failure on your part to at once comply with this demand will result in an application for a writ of mandate to compel you to perform your duties in the respects aforesaid. I am authorized to make this demand by each of said persons.

Respectfully submitted.

CHARLES CRANE.

The canvass of the returns was then resumed, Commissioner Tatlock being absent and Commissioner Sherman protesting against such procedure on the part of the Board. A recount of the ballots was begun by precincts, in alphabetical order, and continued during the day, Chester and Ephraim being counted. At 5 p. m. the Board was served with a writ of mandate issued by Hon. G. W. Bartch, one of the judges of the district court, commanding the Commission to accept the returns from Sanpete County as correct, to make certified abstracts of same, and declare the result thereof, showing the election of the plaintiffs to the office of delegates, and to make out and transmit certificates of election to said parties. The writ was made returnable on December 17. On December 7, 1894, the Board reconvened (Commissioner Tatlock absent), and the following resolution, offered by Commissioner Norrell, was adopted:

Resolved, That the Commission now take up the canvass of the ballots in Sanpete County where it left off on the 6th instant, and proceed to finish the same. The Utah Commission expressly declares that it has no intention of certifying or declaring the result except under the direction of the court, as shall be eventually decided in the mandate proceedings now pending.

Commissioner Sherman opposed the resolution on the following grounds:

First. The complete returns from Sanpete County already canvassed are sufficient upon which to base a declaration of the result, and there can be no excuse for going into the ballot boxes unless it be a desire to reverse the face of the returns.

Second. Pending the proceedings in the third district court upon a writ of mandate issued by that court, naming the members of this Commission as defendants, relating to the returns from Sanpete County and especially to the manner in which the canvass should be made, it is manifestly in bad taste and discourteous to that court to proceed as contemplated in the resolution.

The precincts of Fair View and Gunnison were recounted and the Board adjourned until December 8, at which time the remainder were completed.

On December 11 additional writs (similar to those in the preceding case) were served upon the Commission, made returnable December 22.

On December 12 a protest was filed by Hon. Jacob Johnson, chairman of the Sanpete County Republican committee, as follows:

To the UTAH COMMISSION:

In behalf of J. D. Page et al., also the judges of election, and the voters of Sanpete County generally, I respectfully protest against the recount by your honorable body of the ballots of the several precincts of Sanpete County, for the reason "that said ballots show a different result now from what they did on November 6; that since said election the ballot boxes have been insecurely kept, most of them not sealed, some of them not locked, and kept at such places that they might have been easily tampered with; that the ballots counted are not all the same as those counted by the judges on the day of the election. * * *

In view of these facts, I ask and demand that a full and public investigation of the matter be made, and for this purpose all the judges of election be summoned before your body to testify in this matter, with such other parties as may be produced, to the end that the true result of the election may be determined and declared. * * *

Respectfully,

JACOB JOHNSON,
Chairman Sanpete County Republican Committee.

Mr. Johnson also made a request that the Commission should visit Sanpete County, at a date to be fixed, there to meet the judges of election from the several precincts and such other witnesses as they might call.

The request was agreed to and the invitation accepted, and further action in the canvass of the returns was deferred pending same. The recount of the ballots in the several precincts in question showed a change in the result, as announced previously by the judges, three out of the seven persons stated to have been elected failing to receive a majority of the votes cast.

WEBER COUNTY.

On December 13 the Board proceeded to the examination of the returns from Weber County, and the following table was made:

Precinct.	Registry books.	Poll lists.	Tally sheets.	Discrepancies.
Hooper	137	137	136	1
Huntsville	189	189	187	2
Ogden City:				
Poll 1, first	226	226	223	3
Poll 1, second	228	228	231	3
Poll 2, second	241	Out.	235	6
Poll 1, fourth	320	319	316	4
Poll 2, fourth	317	317	312	5
Poll 1, fifth	259	259	257	2
Poll 2, fifth	244	243	243	1
Slaterville	86	86	87	1
Uintah	52	52	51	1

The discrepancies being greater than the difference in the vote between several of the candidates, the ballot boxes were ordered to be sent in for the purpose of making the necessary recount. Before they were received writs of prohibition on behalf of J. N. Kimball et al., candidates for delegates to the convention, were served upon the Commission, and further proceedings were stayed.

PROCEEDINGS IN COURT.

The several suits or proceedings in mandamus and prohibition having been commenced as above indicated, by agreement they were consolidated for the purpose of trial, the result in one to be determinative in all. The hearing was first set for December 17, but was continued until the 27th and 28th, and further until January 3, 1895, the trial lasting over several days, and both branches of the cases being considered.

After hearing the evidence and arguments of counsel, the court rendered a decision on January 11, 1895, as follows:

G. W. BARTCH, Judge:

The relator in this case was, at the general election held in November, 1894, a candidate for delegate to the constitutional convention which is to convene in March, 1895, to draft a constitution for the new State in pursuance of the act of Congress approved July 16, 1894, known as the "enabling act."

The defendants constitute the Utah Commission, a board appointed by the President of the United States, and clothed with certain powers, under the laws of the United States, in the management and conduct of the elections in this Territory. The controversy arose because of an attempt by the Commission to exercise certain powers which the relator claims are not within its province, and because of its failure to perform certain acts which the relator claims it was its duty to perform.

The relator avers that at the time of the election, which was held on the 6th day of November, 1894, he was a duly registered and qualified elector, and candidate in

the county of Sanpete in this Territory, and was eligible to the office for which he was a candidate; that judges and clerks of election were appointed as provided by law, and acted at said election, and that the formalities provided and required by law were in all respects complied with, and the election was in all respects duly and legally conducted; that as soon as the polls closed the judges and clerks immediately proceeded to canvass the votes cast in the several precincts of said county, and without adjournment completed the canvass in accordance with law; that he was a candidate for election to the office of delegate to said constitutional convention as one of several delegates apportioned to said county by said "enabling act;" that it was determined by said canvass that he received a majority of the votes cast for said office; that the results of said canvass were placed on the lists, were certified, and the lists sealed and forwarded, as directed by said Utah Commission, in the manner provided by law; that said Commission received the returns of said election, and, having broken the seals and carefully examined the returns, no irregularities or discrepancies appeared therein affecting the result of said election or the result of the election of said relator, or of any candidate for said office, nor the rights of any person voted for for said office; that the said Commission refused to accept said returns as correct; that there was no occasion to open the ballot boxes from the precincts of said county for the purpose of canvassing the same to determine the rights of any person to said office, because there was no disagreement in the returns which affected the rights of any person to said office; that the Commission after the completion of the canvass refused to declare the result thereof, and refused to make an abstract thereof, or to certify to its correctness as required by law, and that it has refused to make an abstract of the returns showing the election of the relator to said office, or to make out and transmit to him a certificate of his election, after demand made therefor.

The defendants deny the allegations of the relator as to his right to the office as a result of said election, and that there were no discrepancies in the returns of the election which affected the result of the election as to the relator or others; and allege that there were such irregularities and discrepancies on the face of the returns that the right of the relator was affected thereby, and that for that reason there was occasion to open the ballot boxes, and because of such irregularities and discrepancies the ballot boxes were opened by the defendants in order that the ballots might be canvassed and the error corrected.

After an alternative writ of mandate had been granted, the relator made application for a writ of prohibition, alleging substantially the same facts, and asked that the defendants, the said Utah Commission, be prohibited from certifying the result of said election, and the number of votes cast for the plaintiff from the canvass of the said ballots otherwise than from said returns. An alternative writ was issued as prayed for, and thereafter various other candidates for delegates to the constitutional convention applied for writs of mandate and prohibition, all of which were based substantially on the same facts and raise similar questions of law. Therefore it was agreed by both sides that the determination of the questions of law under the statute raised in the case at bar should determine such questions raised in all similar cases pending in this court.

It appears substantially from the facts admitted and from the evidence in the case that the relator was a candidate in Sanpete County for the office of delegate to the said constitutional convention; that the election for such delegates was held on the 6th day of November, 1894; that registration officers were appointed and the election conducted substantially as required by law; that the ballots were canvassed, the results declared, and returns forwarded by the election officers; that the papers or documents forwarded by said officers to the defendants consisted of the poll list, judges' list, and tally sheets in duplicate; that the defendants received the said returns and canvassed the same; that the tally sheets show the number of votes cast at said election in said county, as canvassed and declared by said election officers, and show that the relator according to said canvass received a majority of the votes cast, and show no irregularity or discrepancy as to the relator, or affecting his right, or the right of any person to the office; that the defendants by comparing the tally sheets with the registry lists and judges' lists, and by adding together the whole number of votes cast and dividing this sum by the number of candidates, and then comparing the result thus obtained with the results on the registry and judges' lists, found discrepancies in said county amounting to 44 votes, which were more than the majority of votes in favor of the relator as shown by the tally sheets; and that the defendants refused to issue a certificate of election to the relator after demand made, claiming the right to go behind the returns and canvass the ballots.

Under this state of facts and the pleadings in the case it becomes necessary to inquire what powers the defendants may or may not exercise, and what their duties are in the conduct of elections.

The laws applicable to this case are found in the act of the Territorial legislature approved February 22, 1878, and in the act of Congress approved March 22, 1882.

After the provision made for the registration of voters, the said Territorial act, in section 9, provides as follows:

"The county court shall, at its first session in June of each year, appoint three capable and discreet persons in each precinct in the county, one at least of whom shall be of the political party that was in the minority at the last previous election, if any such party there be in such precinct, to act as judges of general and special elections; and they shall designate one of the persons appointed to preside, and the other two to act as clerks of said elections;" and then provides that such persons shall be notified of their appointment by the clerk of such court, and how they shall qualify, and in case of a vacancy how it shall be filled.

This section places the power to appoint the judges of election in the county court, and section 10 makes it the duty of said court to provide the necessary books, blanks, stationery, and ballot boxes for the elections, and specifies how and of what material the ballot boxes shall be made, with what kind of locks, and the number of keys they shall be provided, and by whom the keys are to be kept.

Section 11, after requiring that the county court shall furnish the judges of election in every precinct with envelopes, directing how they shall be made, provides that: "Before opening the polls the ballot box shall be carefully examined by the judges of election, who shall satisfy themselves that nothing is therein. It shall then be locked and the key thereof delivered to the presiding judge; and the ballot box shall not be opened during the election."

Under section 12 the judges of election, at the opening of the polls, are required to direct one of the judges acting as clerk to have in custody the registry of voters, and to make the entries therein required by law; and the other of the judges acting as clerk is required to write the name of each person voting, and opposite to it the number of the vote as it is polled. This section authorizes the keeping of two lists, one the registry list, which contains the registration of voters, to be kept, while the polls are open, by one of the judges acting as clerk; the other the judges' list, on which is to be written the name of each person voting by the other judge acting as clerk. This list is to be made up as the voting progresses.

Section 13 provides how the ballot shall be prepared by the voter, to whom it shall be delivered, by whom and under what circumstances deposited; and section 14 provides that where a person has cast his ballot the judge having the registry list shall write opposite the name of such person the word "voted," and the other judge acting as clerk shall write upon a list to be made by him the name of such voter and the number of the vote. The lists here referred to are the same as those mentioned in section 12.

Thus far the act deals almost entirely with the registration of voters, their qualifications and the manner of holding and conducting the elections, and of casting and receiving the ballots. The requisites necessary to constitute an election lawful are clearly and distinctly set forth.

When the ballots have been received and the polls closed it is incumbent upon the judges to determine the result of the election, and the legislature has clearly indicated how this shall be done.

Section 15 reads as follows: "As soon as the polls shall be closed the judges of election shall immediately proceed to canvass the votes cast at such election, and continue without adjournment until completed;" and then provides that all candidates may be present, either in person or by representative, to witness the canvass, and that when two ballots are found in one envelope only one shall be counted.

The judges must proceed with the canvass immediately after the polls have been closed, and continue without intermission until completed. This provision is mandatory, and is evidently intended to prevent any unlawful interference with the ballots.

Section 16 specifies that the judges, acting as clerks, shall commence the canvass by comparing their respective lists to ascertain the number of votes cast; that is, the registry list and the judges' list, mentioned in section 12. Then the boxes shall be opened, the ballots counted, and the judges, acting as clerks, shall each make a list of all persons voted for. It further provides as follows: "The presiding judge shall then proceed to open the ballots and call off therefrom the names of the persons voted for, and the offices they are intended to fill; and the judges, acting as clerks, shall take an account of the same upon their lists; and all the ballots shall immediately be returned to the ballot box; and the ballot box shall be locked and securely sealed."

This section gives specific directions how to proceed with the canvass and what to do with the ballots after the same have been canvassed. Its intentions are mandatory, and the judges can not intentionally or willfully disobey them without doing violence to their oaths. The list of all the persons voted for which each judge, acting as clerk, is by the terms of the statute required to make, is what is known as the tally list, and is distinct from those mentioned in section 12. It is incumbent upon the judges to lock and securely seal the ballot boxes after the ballots have been returned to them.

Section 17 reads as follows: "After the canvass shall have been completed the judges of election shall add up and determine the number of votes cast for each person, for the several offices, which result shall be placed on the list made by the judges acting as clerks of the election, and the judges shall thereupon certify to the same, and forward all the lists, securely sealed, together with the ballot box, to the clerk of the county court, by a qualified voter of the county, who shall before taking the same take and subscribe an oath to the effect that he will deliver the same to the said clerk without unnecessary delay, and that he will use his utmost ability to prevent any interference whatever therewith by any person whatsoever."

It will be noticed that this section imposes upon the judges the duty to determine the number of votes cast for each candidate for office, place the result upon the lists of the judges acting as clerks, certify the same, and forward all the lists, securely sealed, together with the ballot box, to the clerk of the county court, and they must be so forwarded by a voter under oath, for the law makes this a prerequisite. It was evidently the intention of the legislature that the delivery by the judges to such "qualified voter" should be a personal delivery, made without delay, and likewise the delivery by him to said clerk, and this to avoid unlawful interference. Any other manner or any other means of forwarding is unwarranted under the law. When all the lists and the ballot box have thus been forwarded to said clerk by the judges their authority as such election judges is at an end. Nor have they any further responsibility.

The lists thus forwarded are mentioned as returns in the next section of the act, and there has been much contention on the question as to what lists or documents constitute the election returns. Counsel for the relator appear to maintain that the tally sheet or lists made by the two judges, acting as clerks, while canvassing the vote, alone constitute the returns, while counsel for defendants insist that the registration lists and judges' lists, mentioned in section 12, together with the tally lists, constitute the returns. I am of the opinion that counsel for the defendants are correct in their view on this question. The legislature evidently intended by the use of the word "all" in the clause, "and forward all the lists, securely sealed," to include not only the tally list but also the registry list and the judges' list in order that the canvassing board which would have charge of the same thenceforth, if, in any proper case, it would become necessary to again canvass the ballots, might be placed in the same position, so far as the lists were concerned, as the judges of election were in when they made the canvass.

I hold, therefore, that the registry list, the judges' list, and the tally list constitute the returns to be forwarded as directed in this section.

Section 18 reads as follows: "On receipt of the ballot boxes and returns of election the clerk of the county court, in the presence of at least one member of the county court, who is not publicly known as a candidate voted for at such election, shall break the seal of the returns, and all candidates may be present, as provided in section 15 of this act, and said clerk and member or members of the county court shall carefully examine the returns, and if no irregularity or discrepancy appear therein affecting the result of the election of any candidate, they shall accept said returns as correct, but if the right of any person voted for for any office is in any way affected, then the clerk and said members of the county court shall open the ballots from said precinct and canvass the same so far as to determine the rights of the person whose office may be affected. They may also cause to appear before them any persons whom they deem proper, and take their testimony in relation to said election in said precinct." This provision of the law makes it the duty of the clerk of the county court, on receipt of the ballot boxes and returns, to break the seal of the returns, and he must do this in the presence of at least one member of said court and of all candidates who wish to be present, and then such clerk and member or members of said court shall examine the returns and accept them as correct, unless they show such irregularity or discrepancy as will affect the result of the election of any candidate. If such irregularity or discrepancy appear in the returns then, to determine the rights of the candidate whose office may be affected, they "shall open the ballots for said precinct and canvass the same." Even in such case the opening of the ballots appears to be limited to the precinct wherein such irregularity or discrepancy exists as shown by the returns. When the returns show a case which renders it necessary for such canvassing board to open the ballots it may summon persons before it to take their testimony in relation to the election. The power to go behind the returns and open the ballot boxes in proper cases for the purpose of recounting the ballots is expressly conferred upon the clerk of the county court and the members thereof.

Section 19 provides as follows: "If there shall be any disagreement in the returns in regard to the number of votes cast for any Territorial officer, or any officer whose election is affected by the votes of more counties than one, then said members of the county court shall canvass the votes, and proceed as herein directed. After the completion of the canvass said member or members and the clerk of the county court

shall declare the result thereof, and the clerk of the county court shall immediately make out and transmit a certificate of election to each person elected to any precinct or county office."

It is insisted by counsel for the relator that this section does not authorize the clerk of the county court and members thereof to go behind the returns and canvass the ballots to determine the rights of candidates for Territorial offices or of members for the legislature; that as to such officers and members they can only canvass the returns; and that no such authority is vested in any other board under our election laws. I am unable to adopt this view. The law says, "If there shall be any disagreement in the returns"—and evidently the word "disagreement" here means an irregularity or discrepancy which affects the right of a candidate—"then said members of the county court shall canvass the votes as herein directed." It seems clear that the word "herein" does not simply refer to this section, but also to the one preceding it. The word "votes" being used in the same sentence instead of the word "returns" also has an important bearing in the construction of this section of the act.

Doubtless it was the intention of the legistature to confer upon the board, as thus constituted in each county the authority to canvass, in proper cases, the ballots cast in such county, for any Territorial officer or for any officer whose election is affected by more than one county. While, however, the law thus confers the power to canvass the votes in proper cases upon such board, regardless of the rank of the office, it restricts the powers of the clerk of the county court in making out and transmitting certificates of election to county and precinct officers. The power to make out and transmit certificates of election to Territorial officers, and to such officers whose election depends on more than one county, is conferred upon another officer, as will be seen in subsequent sections in the statute. It is incumbent upon such clerk and members of said court, after such canvass has been made, to declare the result thereof, and under section 20 the ballots must immediately, after such inspection, be returned into the ballot box, which must then again be locked and securely sealed, and "so preserved for ten days after the result of the election has been declared;" then, immediately after the expiration of the ten days, said clerk shall, in the presence of at least one member of the county court, and of such candidates as may be present, "open each of the ballot boxes and destroy all the ballots contained therein."

When this is done the clerk of the county court and the members thereof have no further duty to perform as an election board, and the duties of such members cease altogether so far as such election is concerned; but the clerk of said court is required under section 21, "as soon as possible after the result of the election has been so determined," to make out a general abstract thereof in triplicate, certify to its correctness, and then forward a certified copy of the names of the persons voted for, and the number of votes each has received for Territorial offices" to the secretary of the Territory; and to make other disposition of the abstract as provided by law. The copy here provided for constitutes the returns mentioned in section 22, which is the only remaining provision of the Territorial act necessary to be considered in the decision of this case, and it reads as follows: "As soon as all the returns are received by the secretary of the Territory, he shall, in the presence of the governor, unseal and canvass the same, and make an abstract thereof, and the secretary shall, within ten days thereafter, make out and transmit a certificate of election to each member of the legislature and Territorial officers elected." The secretary's duties under this section are simple. He has but to unseal and canvass the returns in the presence of the governor, and make an abstract thereof, and make out and transmit the certificates of election within ten days after the returns are received by him. He has nothing whatever to do with irregularities or discrepancies, or with canvassing the votes, and he can only issue certificates to Territorial officers and members of the legislature. He must see, however, that the returns are genuine, and made out as required by law.

Thus, from an examination of the act of 1878 as it was before the act of Congress took effect, it will be seen that there is a provision made for four distinct classes of officers, and that each class is endowed with certain special powers and required to perform certain specific duties. These classes are:

First, the registration officers, whose duty it is to register the voters. The statute constituted the assessors of the respective counties such officers, with power to appoint deputies.

Second, the judges of election, whose duty it is to open the polls, receive the ballots, close the polls, canvass the ballots, declare the result, certify and transmit the returns, with the ballot box, to the clerk of the county court. They are appointed by the county court.

Third, the clerk and members of the county court, acting as a canvassing board, whose duty it is to canvass the returns, declare the results thereof, and, in proper *cases, canvass* the ballots and declare the result, and such clerk must then issue

certificates of election to county and precinct officers, and forward a certified copy of the names of the persons voted for, and the number of votes each has received for Territorial offices, to the secretary of the Territory, and, at the time specified in the statute, destroy the ballots.

Fourth, the governor and secretary of the Territory; and it is the duty of the secretary of the Territory to canvass the returns for Territorial officers so transmitted to him by the clerk of the county court in the presence of the governor, and issue certificates to all Territorial officers, including members of the legislature.

Having thus indicated my conclusions as to the powers and duties of election officers and as to what constitutes the returns under the act of 1878, one of the most important questions yet to be entertained in this case is how and in what respect its provisions are modified or changed by the act of Congress approved March 22, 1882, known as the "Edmunds law."

Section 9 of this act, so far as material here, provides as follows: "That all the registration and election offices of every description in the Territory of Utah are hereby declared vacant, and each and every duty relating to the registration of voters, the conduct of elections, the receiving or rejection of votes, and the canvassing and returning of the same, and the issuing of certificates or other evidence of election in said Territory, shall, until other provision be made by the legislative assembly of said Territory, as is hereinafter by this section provided, be performed under the existing laws of the United States and of said Territory by proper persons, who shall be appointed to execute such offices and perform such duties by a Board of five persons, to be appointed by the President," etc. Under this section all the election offices created by the Territorial act of 1878 were declared vacant, and the President of the United States was authorized to appoint a Board of five persons. This Board is known as the Utah Commission, and the defendants in this case constitute said Board, which is given power to fill all the offices thus declared vacant by the appointment of "proper persons."

The duties, powers, and requirements of such "proper persons" are the same as those which were incumbent upon the persons who filled said offices under the Territorial act before the enactment of the "Edmunds law." No part of the methods of procedure prescribed by the act of 1878 is repealed or limited or modified by the section under consideration, except that the officers required to carry out the provisions of the Territorial act must be appointed as provided in this section of the law of Congress.

With this exception, the Territorial act remains in full force and effect, and is the rule of action to guide the defendants. It is manifestly the duty of the defendants to appoint all the officers required for the conduct of elections in the manner prescribed in the Territorial act, and they can not themselves perform any powers or duties under said act which have not been devolved upon them by express provision of the act of Congress. The donee of a power to appoint is not necessarily, or by reason of being such donee, clothed with power to perform.

It is insisted, however, by counsel for defendants that the powers and duties to be performed under sections 18 and 19 of the act of 1878, in so far as elections for members of the legislative assembly are concerned, are devolved upon the defendants by section 9 of the act of Congress, of which another material clause affecting the question reads as follows: "The canvass and return of all the votes at elections in said Territory for members of the legislative assembly thereof shall also be returned to said Board, which shall canvass all such returns and issue certificates of election to those persons who, being eligible for such election, shall appear to have been lawfully elected, which certificates shall be the only evidence of the right of such persons to sit in such assembly."

Notwithstanding the able arguments of counsel in support of their position, I am unable to agree that this or any clause of said section confers such powers upon said Board. Such a construction would not only render useless and ineffectual sections 21 and 22 of the act of 1878, without any words of repeal or limitation in the provision which is claimed to produce such a result, but also would do violence to the spirit and intent of the Territorial act and to the economical method of procedure provided thereby in cases of irregularities and discrepancies in the returns which would affect the rights of persons to such offices. If Congress had intended such a result, if it had intended to confer upon the Board such great power, it is but reasonable to presume that it would not have left such intention to mere implication. Nor is there any express provision in section 9 of the act of Congress for the delivery of ballot boxes to said Board, by special messenger or otherwise, as provided in the act of 1878.

This important provision of the Territorial law, by which the purity of the ballot could be preserved, would also be rendered nugatory by the interpretation contended for, unless that power too were conferred upon the Board by mere implication.

The rule of law is that such a Board, being the creature of statute, must look to such statute for its authority and power, which otherwise would not exist in its favor, and that it will not be aided by implication or judicial construction.

It is evident that the word "returns," in the clause of section 9, last quoted, was used in the same sense and should be given the same interpretation as in section 22 of the Territorial act.

By comparison of the two statutes it will be seen that before the passage of the "Edmunds law" the assessors were the registration officers; now said officers are appointees of said Board; then the judges of election were appointed by the county court; now they are the appointees of the Board; then the clerk of the county court and members thereof constituted the board to canvass the returns from the judges of election and recount the ballots in proper cases; now such canvassing board must be appointed by the Board of Commissioners; then the secretary of the Territory, in the presence of the governor, canvassed the returns under section 22, which are provided for in section 21 of the act of 1878, and issued certificates of election to the members of the legislature; now, in addition to making all the appointments of election officers provided for in said last-mentioned act, the Board of Commissioners perform the duties formerly devolved upon the secretary of the Territory and the governor. Under the act of Congress of 1894, to admit this Territory into the Union as a State, the said Board is also required to canvass the election returns for delegates to the constitutionl convention, which returns must be canvassed and certificates issued by the said Board in the manner provided in section 22 of the Territorial act.

Nowhere do I find any authority, either by express provision of statute or by necessary implication, for said Board, in any case whatever, to go behind the returns and open the ballot box for the purpose of canvassing the ballots to declare the result of any election of any candidate for office. This is an assumption of power unauthorized by law. Nor is there any provision of law which authorized the sending of a ballot box to said Board for any such purpose, or for any purpose. The ballot box, after the close of an election, must be kept and the ballots disposed of by a board of "proper persons," appointed by said Board of Commissioners, and they must be kept and the ballots disposed of in the manner provided in section 20 of the act of 1878.

The next material question is whether mandamus is the proper remedy to enforce the performance of an official duty on the part of said Board in a case where they refuse such a performance.

Where the performance of a specific act, ministerial in its character, is refused by an officer or board of officers, upon whom the duty of its performance is devolved, and any person will be injured because of such refusal, such person may have a writ of mandamus to compel its performance.

So where, as in the case at bar, an election board, whose duty it is to canvass the returns of an election, make an abstract thereof, and issue a certificate of election to the candidates for offices, refuses, after the canvass and abstract have been made, to issue such certificates, which is purely a ministerial duty, the person who will be injured because of such refusal may have a writ of mandamus. * (Thropp on Public Officers, secs. 156 and 538; McCrary on Elections, sec. 376; Board of Liquidation *v.* McComb, 92 U. S., 531.)

In this case, no question being made as to the legality of the election, although there appears to have been some irregularity in its conduct, the court will presume, in order that justice may be done, that the law was substantially complied with.

IN PROHIBITION.

In the case of the application for the writ of prohibition, the controversy is between the same parties, and the legal questions arising under the statutes are substantially the same, and therefore the construction of the statute in the mandamus proceeding applies with equal force in this proceeding.

The only remaining question is whether under the circumstances of this case the writ of prohibition will lie to prohibit the said Board from canvassing the ballots and declaring the result of the election as to any candidate, and issue a certificate of election on such canvass.

It is shown by the evidence that the ballots were canvassed and the result of the election declared on said canvass, and that the only act remaining, which the defendants were attempting to perform under an assumption of power, was the issuance of a certificate of election.

At the close of the trial the defendants signified their willingness to issue the certificate in accordance with the original canvass. Under the circumstances there appears to be no necessity for the writ.

The objection of counsel for the relator to the admission in evidence of the registry lists and judges' lists is overruled.

The admissions made by the defendants in the prohibition cases as to the evidence render it unnecessary to rule on the points raised during the course of the trial.

The writ of mandamus is granted. The writ of prohibition is denied.

On January 29th the court changed the last order and granted the writ of prohibition.

APPEALED TO SUPREME COURT—DECISION.

Appeals were duly taken from the decision of the district court to the supreme court of the Territory and a hearing had on February 2, 1895, and on the 24th of February the following opinion was handed down:

H. W. Smith, Judge:

This was a proceeding in mandamus begun by the plaintiff against the defendants to compel the issuance to him, the plaintiff, of a certificate of election as a delegate to the constitutional convention soon to meet under the enabling act to form a constitution for the State of Utah.

The affidavit on behalf of plaintiff on which the alternate writ was issued set out substantially that the plaintiff was an elector duly registered in Sanpete County, Utah Territory, at the time of the general election held November 6, 1894, in said Territory. That the defendants constitute the Board commonly known and called "The Utah Commission," the same being created under section 9 of an act of Congress approved March 22, 1882, and commonly called the "Edmunds law." That an election of delegates to the constitutional convention for the proposed State of Utah was legally held on November 6, 1894. It set out in detail that the judges of election were regularly appointed and qualified and regularly received and canvassed the votes cast in Sanpete County for election of the delegates to said convention. It was alleged that plaintiff was a candidate for delegate to said constitutional convention and received a majority of the votes cast in said Sanpete County for such office. That the judges of election made due and legal returns of their canvass of the votes cast for the plaintiff to the defendants, who constitute the board of canvassers, as above stated. That there was no irregularity or discrepancy or disagreement appearing from the face of said returns, and that by the face of the returns the plaintiff was elected. It is then alleged that the defendants have completed their canvass of the votes, and have refused to issue to plaintiff any certificate of election, although the plaintiff has demanded the same, and that the plaintiff has no plan speedy or adequate ready in the ordinary course of law. The alternate writ of mandate was issued and contained the substance of the affidavit.

The defendants answered and denied: First, that the plaintiff received a majority of the votes cast in Sanpete County for delegate to the constitutional convention. Denied that any irregularity, discrepancy, or disagreement appeared on the face of the returns, and alleged that there were irregularities, discrepancies, and disagreements that affected plaintiff's election, and allowed there was a disagreement as to the votes cast for plaintiff shown by the face of the returns. Third, denied that their refusal to issue certificate of election to the plaintiff was wrongful or unlawful. Fourth, denied that plaintiff was without remedy; and fifth, alleged that discrepancies and irregularities appearing on the face of the returns, they have opened and canvassed the ballots, and that it was then ascertained that plaintiff is not entitled to a certificate of election.

Without setting out the findings of fact in this opinion in detail, it is sufficient to say that the court found the issues in favor of the plaintiff on all contested questions, and especially found that there was no irregularity or discrepancy apparent upon the face of the returns, and granted a peremptory writ of mandate, requiring defendants to issue to the plaintiff the certificate of election as prayed for.

A motion for a new trial was overruled, and the defendants appeal from the judgment and order denying a new trial. Several errors are assigned, but they may be grouped under three heads:

First. That the evidence was insufficient to justify the judgment and decision of the court.

Second. The court erred in receiving any testimony on behalf of the plaintiff; and,

Third. The court erred in awarding a peremptory writ.

We shall examine these assignments of error in the order stated.

WHAT CONSTITUTES DISCREPANCIES.

The particular finding which is assailed as not supported by the evidence is the eighth, which is the finding in effect that there were no irregularities upon the face of the returns authorizing a recanvass of the ballots cast. We have carefully examined the evidence contained in the statement, including the original returns which are made a part of it, and are unable to find any irregularities or discrepancies which in any way affect the result of the election of the plaintiff. The irregularities and discrepancies which defendants claim the returns disclose are as follows:

The registry list containing the word "voted" opposite the names of certain voters is compared with the poll list, or list of the names of voters made at the election, and they are found not to correspond in certain particulars, as follows:

In the precincts of Chester, Ephraim, Gunnison, and Moroni there is found to be an aggregate of 17 more names marked "voted" than appear on the poll list or list of votes made at the election in these precincts; while in the precincts of Fairview, Fountain Green, Manti, Mount Pleasant, and Spring there appears to be an aggregate of 21 more names of voters on the poll list than there are names marked "voted" on the registry list; and in only one case does there appear to have been any larger number of votes canvassed as shown by the tally sheets than the smallest number shown by either the voted registry list or the poll list, and this case occurred at Mount Pleasant, where only 498 names are marked "voted" on the registry list, while 3,500 votes were cast for candidates for delegates to the constitutional convention, which would be 14 votes in excess of the number that could have been legally cast, as each voter could only cast 7 votes in that county, there being 7 delegates to Sanpete County by the enabling act. This makes an apparent discrepancy of 2 votes on an average for each candidate, but in this precinct the poll list shows that 507 men voted, which would have permitted an aggregate legal vote of 3,549, if each man had voted a full ticket, or an average vote of 507 votes for the opposing candidates for each office of delegates for the constitutional convention. The plaintiff's majority, as appears by the face of the returns, was 30 votes over his next competitor, so that if it be conceded that there is an irregularity and discrepancy in the return from Mount Pleasant of 2 votes, still it would not affect his election. But it is claimed that the difference between the voted registry list and the poll list are irregularities that authorize a recount of the ballots by the canvassing board. We can not agree to this.

The statute, after pointing out what shall constitute the returns and that on their receipt by the canvassing board they shall be opened and examined, provides: "And if no irregularity or discrepancy appear therein affecting the result of election of any candidate, they shall accept said returns as correct; but if the rights of any person voted for for any officials are in any way affected then (the canvassing board) shall open the ballots from said precinct and canvass the same so far as to determine the rights of the person whose office may be affected." (See sec. 256, par. 324, of vol. 1, Comp. Laws of Utah.) It will be seen that the irregularity and discrepancy must appear upon the face of the returns; in the language of the statute: "It must appear therein." It must be such as to affect the election of the candidate, and it is apparent also that it must be one which may be corrected or reconciled by a recount of the ballots; otherwise a recount can do no good.

Now let us see what irregularities or discrepancies would fulfill these manifest requirements, and whether the difference between the voted registry lists and the poll lists are of such character. The tally sheets, according to the statute, are to be made in duplicate, and are a tabulation of the face of the ballots. Manifestly, therefore, if there appears to be more ballots counted than were cast as shown by the veted registry list and poll list, this is an irregularity indicating that the judges have made a mistake in the count, or that they have suffered ballots illegally to be put into the boxes and counted. A recount of the ballots will at once disclose which it is, and permit its instant correction; but it may be asked if the tally sheet shows a less number than the poll list and voted registry list, why is not this an irregularity? The answer is plain. The voter may not vote a full ticket. Some names may be scratched and no others inserted. This would be perfectly legal.

The presumption is that the judges of election have done their duty. Therefore when they make a return which is legally consistent with itself no irregularity is then apparent therein; and whether tabulation of the ballots shows a number of votes counted no greater than is cast, then the return is legally consistent. The statute requires the tally sheets, as we have before stated, to be made and returned in duplicate. If they agree with each other, there is no discrepancy; if they disagree, then a recount of the ballots will show which, if either, is right. This discrepancy, therefore, is one pointed out by the statute that authorizes a recount of the ballots. We have seen that the return from Sanpete County at the late election in every instance shows either an equal or less number of votes counted than were cast, except at Mount Pleasant, where there is a disagreement of two votes between the voted registry list and the tally sheets, and there is no discrepancy apparent in the duplicate tally sheets at all. The differences between the voted registry list and the poll list could in no wise be reconciled or explained by a recount of the ballots, and it is not pretended that they could. We are therefore of the opinion that there were no irregularities or discrepancies appearing upon the face of the returns affecting the plaintiff's election, and that the court below properly so found.

POSSESS MINISTERIAL POWER ONLY.

The next question is whether the court erred in admitting evidence in support of the alternative writ of mandamus. The contention of appellants is that inasmuch as the defendant canvassing board must, in the first instance, decide whether there are irregularities that their decision is not subject to review by mandamus, and it is not

denied that this proceeding in its nature does attempt to revise their decision in this matter. I do not know if the other members of the court agree with me in this statement, but I am of the opinion that the powers of the canvassing board under section 236, above cited, are purely ministerial—the last clause of that section (not embraced in the citation) is not involved here, but I may say in passing that I think it wholly mandatory, as it does not empower the board to render any decision or take any action on the proof which it may receive.

Every canvassing board must decide, in the first instance, what are the returns of the election, but it has never been held that this was the exercise of judicial power. It must determine that fact from the face of the returns themselves and can not go further, and it may not capriciously reject returns for some imaginary or real informality which does not destroy the character of the returns as such. In the case of State *v.* Steers, 44, No. 233, it was expressly decided that mandamus would lie to compel a canvassing board to accept and canvass a return from the precinct which they had undertaken to reject. It was held that their powers were purely ministerial, and subject to control by mandamus even in respect to deciding what were the returns of an election. See also McGrary on election, third edition, sections 226 and 227.

I have attempted to show the determination as to whether there were irregularities or discrepancies to be made from the face of the returns alone, and involved nothing more than the simplest kind of a problem in arithmetic, and if found to arise the resulting duty was to recount the votes in the boxes, another purely ministerial act. To hold that either or all of these duties are judicial, I can not. As well might we say that the action of the county clerk in casting up the tax roll, or that of a commissioner of schools in apportioning school money among the several districts of the Territory, is judicial. The truth is that the statute declares what the decision must be when the mathematical calculation is completed.

There is no room left for discretion or judgment; there is no power or right to decide in but one way, and that is according to the result of the mathematical problem which must in its nature be exact.

If I know the distinction between ministerial and judicial duties, the powers of the canvassing board in this Territory are wholly to the former class, and it is not the duty of the court, as I conceive it, to in anywise extend the powers of such boards. There is much in the record in this case, and in the kindred case in prohibition which was heard with it in this court, to indicate corrupt and criminal practices intended to affect the election occurring between the election and the canvass by defendants. In fact, in the prohibition case the court expressly found there had been corrupt and criminal forgeries, and it is not denied that such did exist upon the tally sheets and returns made, and while in my view this evidence could have no proper place in either of these cases, inasmuch as the canvassing board had no power to hear evidence in regard to it; and while it is not hinted on either side that the defendants are in anywise responsible for these practices, yet it only too clearly demonstrates the danger to fair election that would result from the exercise of such power as is claimed by an irresponsible returning board. The performances of boards of this character assuming judicial functions in Louisiana and other Southern States in 1876 are matters of recent history in this country and known to us all. They became so corrupt and outrageous as to bring the nation to the verge of civil war, and with this historical example before us it seems to me that we should be slow to enlarge the powers of such a body in this Territory in the direction claimed. I am therefore of the opinion that the court properly permitted the evidence offered by the plaintiff.

AN INTERMEDIATE BOARD NOT NECESSARY.

The last question is, Did the court properly render judgment awarding the peremptory writ? This brings us to the consideration of the power and duties of the defendant Board. The Board is organized by the ninth section of what is known as the Edmunds act. The third clause of that section provides: "The canvass and return of all the votes at elections in said Territory for members of the legislative assembly thereof shall also be returned to said Board (meaning the defendants), which shall canvass all such returns and issue certificates of election to the persons who, being eligible for such election, shall appear to have been lawfully elected."

It is admitted that this legislation of Congress creating the Utah Commission and authorizing it to appoint registration and election officers did not repeal any part of the election laws of the Territory of Utah except that part which provided the agencies by which such laws were to be executed. There is no contention between counsel upon this point. By the enabling act delegates to the constitutional convention are to be elected and the votes therefor to be canvassed in the same manner provided by law for canvass and certification of the election of the members of the legislative assembly. The whole controversy turns upon the proposition as to what part of the duties and powers conferred by the Territorial election law passed directly to the defendants and what part passed to their appointees, provided for in the second clause of the ninth section of the Edmunds law.

Formerly the county clerk and some members of the county court received the

returns of election both for the legislature, the county, and precinct officers, and Territorial officers direct from the judges of election; and the duties prescribed in section 256, above cited, of the election law, were the duties and powers conferred upon the clerk and members of the county court as a canvassing board. It is claimed by one of the counsel for the respondent that these duties are still to be performed by some board appointed in the county, or rather by some person, to use the language of the act of Congress, appointed in the county, while one of the counsel for the respondent, and both counsel for the appellant contend that the judges of election are to return the canvass of votes for members of the legislature, and therefore the canvass of votes for candidates for delegates to the constitutional convention, directly to the defendant Board. We agree in this latter opinion. It seems to us the only construction which will make all its parts consistent, and which is the construction which was placed upon the statute by those charged with its execution immediately after it was enacted twelve years ago. If it were a case of doubt, this contemporaneous construction should have great weight with the court in determining the meaning of the statute. However, its meaning appears plain to us that the return of votes means the return by the first agency who are making the returns, to-wit: the judges of election, after they themselves have canvassed the ballots cast.

The language is, "The canvass and return of all the votes at the time of the election shall be returned to said Board." We think this means that the judges of election shall canvass the vote and make their return in the manner provided by law direct to the Utah Commission, and that they shall thereupon proceed to canvass any such election in the same manner that the county court was formerly possessed, and no more. The statute clearly provides that the defendant Board shall issue to the members of the legislature, and therefore by the enabling act to delegates to the constitutional convention, certificates of election to the persons who appear to have been lawfully elected. As we have already seen, the returns show that the plaintiff appears to have been lawfully elected.

Our conclusion, therefore, is that the court properly found there were no irregularities or discrepancies affecting the election of the plaintiff appearing upon the face of the returns; that the court properly awarded the peremptory writ against the defendants, commanding them to certify to the plaintiff's election.

We are asked to set aside the judgment for costs in this case because the defendants are public officers acting in good faith. If the judgment against defendants is right, and we have seen that it is, then we can not disturb the judgment for costs. Section 3684 of the compiled laws provides, "Costs are allowed, of course, to the plaintiff upon a judgment in his favor in the following cases: * * * Fourth. In a special proceeding." This is a special proceeding. (See Code of Civil Procedure, part 3, title 1, sections 3716 to 3749.)

For the reasons stated, the judgment of the court below is affirmed with costs.

PROHIBITION SUITS USELESS.

In the prohibition cases the opinion says: "We do not care to go into a lengthy discussion of this case. This action was a useless multiplication of remedies, if it was a remedy at all. The whole question was before the court in a proceeding, of which this is a mere counterpart. There would be as much reason to permit a plaintiff in ejectment, while his suit was pending, to bring an action in equity to enjoin his adversary from asserting a hostile title as to permit this proceeding; or to further illustrate, while mandamus proceedings were pending against a clerk to compel him to issue an execution in favor of the plaintiff upon a judgment in favor of the plaintiff, to permit also a proceeding in prohibition to prevent him from issuing one in favor of some other person. This kind of multiplication of remedies can not be permitted. The judgment in one case is just as effectual as a judgment in both. There is but one duty for the defendants to perform, and when they have performed that duty legally, their functions cease in that respect entirely.

"When they have performed their duty under the judgment in mandamus proceedings they will no longer possess the power to issue a certificate of election for the office to which the plaintiff was elected, and if they should do so their act would be of no more effect than if any other equal number of men holding no official position had done the same thing.

"We think the court below erred in entertaining this proceeding at all, and are of the opinion that the judgment should be reversed, that the case should be remanded with direction to the court below to dismiss the proceedings, respondent to pay the costs of this court and of the lower court."

Merritt, C. J., and King, J., concur.

In accordance with the views expressed by the supreme court, the Commission proceeded to complete the canvass of the returns from *Boxelder*, Sanpete, and Weber counties, and issued the certificates of *election* pursuant thereto.

SALT LAKE COUNTY.

December 18, 1894, the Commission took up and examined the returns from the several precincts of Salt Lake County. Only in the third Salt Lake City precinct did there appear discrepancies and irregularities which seemed to affect the result of the election of any of the candidates voted for as delegates to the constitutional convention. An examination of the returns from that precinct showed the following:

Poll.	Registry books.	Poll lists.	Tally sheets.	Discrepancies.
No. 1	377	370	371	7
No. 2	502	504	499	5
No. 3	523	521	519	4

And the table of differences, as shown by the duplicate tally sheets returned, was as follows:

Salt Lake City, third precinct.

Candidates.	Sheet.	Poll 1.		Poll 2.		Poll 3.		Total.		Difference.
		Tally.	Footing	Tally.	Footing	Tally.	Footing	Tally.	Footing	
W. B. Preston	1	186	181	242	247	272	272	700	700	.....
	2	186	186	247	247	272	272	705	705	5
Andrew Kimball	1	172	172	238	238	276	276	686	686	.....
	2	172	172	238	238	282	276	692	686	6
A. W. McCune	1	176	176	236	236	259	259	671	671	.....
	2	176	176	236	236	264	259	676	671	5
H. A. Smith	1	161	161	247	242	264	264	672	667	5
	2	161	161	242	242	264	264	667	667	.....
A. H. Raleigh	1	168	168	240	240	264	264	672	672	.....
	2	168	168	240	240	264	264	672	672	.....
W. L. Dykes	1	168	168	207	207	214	214	589	589	.....
	2	168	168	207	207	214	214	589	589	.....
N. Treweek	1	191	191	235	235	239	239	665	665	.....
	2	191	191	235	235	239	239	665	665	.....
H. E. Booth	1	188	188	232	232	236	236	656	656	.....
	2	188	188	232	232	236	236	656	656	.....
George R. Emery	1	203	203	247	247	257	257	707	707	.....
	2	203	203	247	247	257	267	707	707	.....
John Henry Smith	1	201	201	242	242	250	250	693	693	.....
	2	201	201	242	242	250	250	693	693	.....
R. W. Reese	1.	6	6	24	24	12	12	42	42	.....
	2	6	6	24	24	12	12	42	42	.....
B. R. Haddock	1	7	7	24	24	11	11	42	42	.....
	2	7	7	24	24	11	11	42	42	.....
James Geary	1	7	7	24	24	11	11	42	42	.....
	2	7	7	24	24	11	11	42	42	.....
David Jenkins	1	7	7	24	24	11	11	42	42	.....
	2	7	7	24	24	11	11	42	42	.....
D. B. Lampson	1	7	7	21	21	12	12	40	40	.....
	2	7	7	21	21	12	12	40	40	.....
Scattering	.....	.....	.....	3	3	1	1	.....	.....	.....

Recount by polls.

Candidates.	Poll 1.	Poll 2.	Poll 3.	Total.	Candidates.	Poll 1.	Poll 2.	Poll 3.	Total.
W. B. Preston	181	295	272	*748	W. L. Dykes	168	157	207	532
Andrew Kimball	172	285	275	732	N. Treweek	192	186	236	614
A. W. McCune	176	284	259	719	H. E. Booth	187	184	335	606
H. A. Smith	161	289	260	710	George R. Emery	203	197	255	655
A. H. Raleigh	167	288	262	717	John Henry Smith	201	193	247	641

*The recount, except in poll 2, is unofficial.

Upon motion of Commissioner Norrell the following order was made:

Whereas the discrepancies in the third Salt Lake City precinct are such that the Commission is unable to determine from the returns which of the candidates for constitutional delegate are elected; therefore be it ordered that the ballot boxes from said precinct be opened and a recount of the ballots made to determine the result.

Pursuant to such order the Commission began the recount, and had completed one poll, with the result as shown in the above table, when writs of prohibition and mandamus were served on behalf of John Henry Smith and George R. Emery, two of the candidates for delegates to such convention, commanding the Commission to accept the returns from said precinct and to issue certificates to the petitioners, and also prohibiting the Commission from making a recount of the ballots for such precinct.

Issue was duly joined in said causes before the Hon. G. W. Bartch, of the third district court, and, after several continuances, a trial was had on February 26–28, at which times the court rendered decisions in the mandamus and prohibition proceedings as follows:

G. W. BARTCH, Judge:

These cases were heard on applications for writs of mandate to compel the Utah Commission to issue certificates to the relators, and the only question presented was as to whether the Commission, when a discrepancy appears on the tally sheets or the returns, have a right to canvass all the ballots relating to that particular office, or whether they are confined to canvassing the ballots relating to the particular person to whom the discrepancy refers. Section 256 of the Revised Statutes of Utah, 1888, gave the members of the county court and the county clerk the right to go behind the returns and canvass the ballots when a discrepancy occurred on the face of the returns which affected the right of any persons to the office. Now the statute says they shall canvass the ballots or canvass the same so far as to determine the rights of the person affected. The question then occurs, Can they determine the right of the person whose office may be affected by simply canvassing the ballots in relation to such person as to whom the discrepancy appears? It is the same office—a number of candidates all on the same ticket to be elected to the same office. Whichever number receives a majority of the votes are to be declared elected. It would seem quite difficult to determine just what the effect of an erroneous count would be and where it would lead to. It might be possible that those receiving the very highest number of votes had received votes that belong to the one receiving the lowest number; and I am disposed to hold that where a discrepancy appears upon the face of the returns which entitles the Utah Commission to go into the ballot boxes at all they have the right then to canvass the votes relating to the office and for all the candidates affected by said office.

I think the statute, however, does not contemplate this when the two offices are different. For instance, in the case of a sheriff and a county clerk, if discrepancies should appear as to the various candidates for sheriff, they would have no right, although the names of the parties might appear on the same ticket, to canvass the votes for county clerk in determining the discrepancy which might arise as to the sheriff.

But here the candidates are all for the same office—all struggling for election to that—and, as the supreme court has held that a discrepancy on the face of the tally sheets would entitle them to go into the ballot boxes and count the vote, I think their construction would also be in line with what I have indicated. The face of the returns in this case show a discrepancy, and I think the Commission has a right to make a canvass as to all, under the decision of the supreme court, that court holding, as I understand it, that the Commission have the same powers as formerly possessed by the county court.

It is ordered that the writs of mandate in the premises be, and the same are hereby, denied.

FEBRUARY 26, 1895.

Two days later, the trial on the prohibition proceedings having intervened, a decision was rendered in the same court, in the course of which the following opinion was submitted:

G. W. BARTCH, Judge:

In these cases the relators set up the conduct of the election; the procedure therein; *the receiving* of the votes cast and making of the return by the judges; their certification and the delivery to the Commission and certain irregularities which they

alleged occurred in the forwarding of the returns; the manner in which they had been kept; and claim that, while the election was properly held and conducted, the results were not declared; that the manner of keeping the ballot boxes was contrary to law, and that the attempt was now being made to resort to such boxes and count votes that were not cast at the election. The alternative writ was issued to restrain the Commission from making such a canvass for the reason that the counting of such votes as were not cast by qualified voters was in excess of their jurisdiction.

The evidence shows that the ballots at polls 1, 2, and 3 of the third Salt Lake City precinct were correctly counted by the judges and that the result as to each candidate was correctly declared. It is conclusively shown that at the close of the polls there were about 50 more votes in the box at poll 2 for each of the relators than there are now therein for each, and that other candidates now have about 50 more votes in said box than there were for such at the close of the polls.

An examination of the evidence shows that there are many fraudulent votes in the box at poll 2 and that none of the boxes have been kept as provided by law

The question under these circumstances is, Can the Utah Commission canvass these fraudulent votes and declare the result of the election thereon? I think not. The law places no such power in the hands of such a board, nor can a canvassing board assume any such power, because for it to canvass votes not cast by qualified voters, as would be the result in the case at bar if the ballots were canvassed, is clearly in excess of its jurisdiction.

Therefore the applications for writs of prohibition are hereby granted and allowed.

FEBRUARY 28, 1895.

Immediately after the rendition of the foregoing decisions, the Commission made the following order:

Whereas pending the canvass of the returns from the third Salt Lake City precinct for delegates to the constitutional convention, to wit, on the 18th day of December, 1894, writs of mandamus and prohibition were issued out of the third judicial district court whereby such canvass was suspended; and

Whereas on the 26th and 28th days of February, 1895, the said court rendered decisions in said proceedings by which this Commission has been prevented from such further canvass of said returns as will enable it to determine what persons are entitled to certificates of election from said precinct. Now, therefore, be it

Resolved, That the judgments of said court be complied with, and that no further action be taken in the premises by this Commission.

To the foregoing Commissioner Tatlock offered a substitute, to the effect that the Board order the issuance of certificates to George R. Emery, John Henry Smith, William B. Preston, and Andrew Kimball, and that the matter of the issuance to the other delegate apportioned to that precinct be deferred until March 1, at which time the candidates be invited to be present. During the consideration of the questions, the Hon. C. W. Bennett, of counsel for the petitioners in the suits above referred to, appeared before the Commission and announced his intention to immediately proceed to have the judgment vacated and the actions dismissed.

March 1, a motion was made by Commissioner Sherman to reconsider the action of the previous day, but it was rejected and the further consideration of the above cases was suspended. In concluding the canvass of all the counties, certificates were issued to 102 (all except the 5 from the third Salt Lake City precinct), and the secretary of the Territory directed to make out a certified list in compliance therewith.

FRAUD IN THE ELECTION.

Pending the trial of the cases from Sanpete County, evidence was adduced tending to show that the discrepancies existing between the returns had been caused by changes made therein immediately after or subsequent to the election, and prior to the canvass of said returns by the Commission. Upon the trial, evidence was produced tending to show that certain marks and words upon the tally sheets, poll lists, and registry books had been made by persons other than the judges of election, whereby differences or discrepancies were created, which made it necessary for the Commission to recount the ballots.

An effort was made on behalf of the petitioners in the several actions to show that such changes had been created after the returns came into the possession of the Commission, and one of the witnesses, Hon. Erasmus W. Tatlock, a member of the Board, stated upon the stand that in his opinion and belief one of the changes was in the handwriting of George E. Blair, a clerk of the Commission.

Immediately thereafter (January 18, 1895) the following resolution was unanimously adopted by the Board:

Whereas the attention of this Board has been called to the fact that changes or alterations have been made in certain precinct returns for delegates to the proposed constitutional convention from the county of Sanpete, whereby discrepancies were created which had no existence in fact; and

Whereas, during a recent examination in court, the statement was made by Erasmus W. Tatlock, a member of this Board, to the effect that in his opinion and belief a portion of such changes were in the handwriting of George E. Blair, a clerk of this Board. Now, therefore, be it

Ordered, That a committee of three, consisting of Commissioners Norrell, Sherman, and Letcher, be appointed to investigate the facts pertaining to the alleged changes, and particularly as to the statement made by Commissioner Tatlock connecting Mr. Blair therewith, and that such committee report their findings to this Board;

That the said committee be directed to call the attention of the United States district attorney and of the grand jury to the facts connected with the alleged frauds, and request that a most searching inquiry be instituted, to the end that justice be done and the perpetrators be brought to trial.

After requesting numerous persons, from whom it was supposed facts bearing upon the question might be elicited, to appear before them, the committee held several sessions and also went before the grand jury and used every diligence to place before the officers of the law what information they could obtain bearing upon the subject. In compliance with instructions, the committee submitted a report, which was as follows:

The undersigned, your committee appointed pursuant to the resolution of the Board made January 18, 1895, beg leave to report that subsequent to their appointment requests were duly sent out to a number of persons whom the committee thought might be able to give information upon the subject, including Commissioner Tatlock, and requesting them to appear and make statement touching the matter under consideration.

In compliance with such request Mr. Paul J. Daly, an attorney of the Salt Lake bar, was the only one who responded, and upon inquiry being made as to the nature and scope of the investigation he was not able to impart any facts bearing thereon.

The committee then adjourned until some days later and further notice was sent out of such meeting, the only witness who responded at this time being Col. Henry Page, formerly a clerk of the Commission, but he gave no evidence whatever tending to connect Mr. Blair with the charges made.

Although specially notified of the time and place of the sitting of the committee, Commissioner Tatlock did not appear at either of the hearings.

In compliance with the second instruction your committee waited upon the United States attorney and notified him of the action of the Board and of the proceedings of the committee in the matter, and at his request appeared before the grand jury for the third judicial district court of the Territory, and laid before that body all the books, papers, and memoranda in the possession of the Commission in anywise bearing upon the subject under investigation.

Wherefore your committee respectfully report that no evidence whatever has been adduced tending to connect George E. Blair with the frauds alleged, and they hereby exonerate him from all imputation contained therein.

Having performed the duties imposed, your committee asks to be discharged.

Respectfully,

ALBERT G. NORRELL,
HOYT SHERMAN, JR.,
JERROLD R. LETCHER,
Committee.

SALT LAKE CITY, *August 19, 1895.*

In the course of their work the board of canvassers appointed to canvass the returns for county and Territorial officers considered it necessary to resort to a recount of the ballots in several of the precincts of Weber County, in order to determine the result as between the

candidates for county clerk. While engaged in this a candidate for another office, to wit, county collector, being present, requested the board or some members thereof to make a recount informally as to the votes cast for the latter, whereby it was discovered that a difference of 50, as between the returns and the ballots, existed. There being no discrepancies or irregularities on the face of the returns whereby the right of any person to the latter office appeared to be affected, the board took no official action regarding the matter other than to call the attention of the grand jury to the circumstances connected therewith. Subsequently two parties, residents of Weber County, were indicted upon the charge of conspiracy in changing the ballots of certain precincts in that county, and their trial is now pending.

In the case of the third Salt Lake City precinct, in the "mandamus proceedings," the only evidence adduced was the tally sheets, which were submitted to the court, and after an examination of the same it was adjudged that they were of so conflicting a character as to render it impossible to determine who were elected without a recount of the ballots, and consequently the petition was dismissed. There were also proceedings "in prohibition," in the trial of which an investigation was held (in the nature of a contested election and a prosecution) to show that the ballot boxes had been so improperly handled, if not actually tampered with, as to render a recount of the ballots unreliable.

In the conduct of the suits and proceedings incident to the election contests the complainants were represented by C. W. Bennett, Miner & Hiles, and Zane & Zane; while the Commission had the active assistance of Hons. P. L. Williams, O. W. Powers, and H. P. Henderson, the last-named gentlemen serving without compensation, and giving much time and attention to the subject under consideration.

SCHOOL ELECTIONS.

The time for the annual election of members of the boards of education in cities of the first and second class having arrived, on the 23d of November, 1894, the Commission issued an order directing that the necessary notices of election as well as appointments of officers conducting the same, and the preparation of the registry books, be made.

All the returns were to be made to the county clerks of the several counties in which the said cities were situate, and they were authorized to canvass the same and issue certificates of election to those persons shown to be entitled thereto.

Pursuant to this order, elections were held in Logan, Cache County; Ogden, Weber County; Provo, Utah County, and Salt Lake City, Salt Lake County, and returns thereof duly made.

CONSTITUTIONAL CONVENTION.

In compliance with the provisions of the enabling act, the delegates elected to the convention authorized to frame a constitution for the proposed State of Utah met in the hall of the joint city and county building at Salt Lake, on Monday, March 4, 1895, at 12 m. The assemblage was called to order by Hon. Charles Crane, delegate from Millard County, and a prayer was offered by George Q. Cannon, of the Church of Jesus Christ of Latter-day Saints. Charles C. Richards, secretary of the Territory and ex offico secretary of the Utah Commission, presented a certified list of the delegates to whom certificates of election had been issued, and called the roll of members therefrom, ninety-six answering to their names.

Hon. Samuel A. Merritt, chief justice of the Territory, then administered the oath of office to the delegates present. An address of wel-

come was delivered by the Hon. Caleb W. West, governor of the Territory, and immediately thereafter a temporary organization was effected with Hon. James N. Kimball, of Weber County, as president, and Heber M. Wells, of Salt Lake, as secretary. The president pro tempore named as a committee on credentials C. N. Strevell, of Weber County; Mons Peterson, of Grand County; David B. Stover, of Tooele County; George B. Squires, of Salt Lake County; David Evans, of Weber County; A. W. Ivins, of Washington County, and B. H. Roberts, of Davis County.

On the following day this committee submitted its report, as follows:

To the President and Members of the Convention:

Your committee on credentials, to whom was referred the consideration of rights of members to seats in this convention, beg leave to report that they find the list of delegates as certified by the secretary of the Territory entitled to seats in this convention; and your committee desire to further report that affidavits have been filed tending to show that John Henry Smith, George R. Emery, Andrew Kimball, William B. Preston, and Alonzo H. Raleigh are entitled to seats in this convention from the third Salt Lake City precinct, but, in the opinion of the committee, we have no power to pass on these matters, and they are hereby made a part of our report, and we ask the further pleasure of the convention.

After a heated debate, the consideration of the applications by parties from the third Salt Lake City precinct was referred back to the committee with instructions to investigate the same and report, and at the afternoon session of the same day an additional report was submitted, stating that there were no contests or applications other than by the persons named, and recommended that they be seated in the convention.

On March 6 a permanent organization of the convention was made with the following official roster: President, John Henry Smith, of Salt Lake County; secretary, Parley P. Christensen, of Tooele County; sergeant-at-arms, Rasmus Clawson, of Sanpete County; watchman, Bruce Johnson, of Salt Lake County; messenger, Thomas S. Watson, of Wasatch County; pages, John H. Thorne and Lawrence C. Camp; stenographer, Frank E. McGurrin, of Salt Lake County; clerks, Charles S. Rapp and Joseph A. Smith; committee clerks, B. T. McMasters and Henrietta Clark.

Members of the constitutional convention, 1895.

County.	Members.	Nativity.	Age.	Residence.	Occupation.	Politics.
Beaver	Anderson, A. S	Utah	36	Frisco	Civil engineer	Republican.
Do	Murdock, John R	Ohio	68	Beaver	Farmer	Do.
Boxelder	Gibbs, William H	South Wales	44	Portage	do	Do.
Do	Lowe, Peter	England	49	Willard	do	Do.
Do	Lowe, William	do	53	do	do	Democrat.
Do	Peters, John D	Utah	44	Brigham City	do	Do.
Cache	Hart, Charles H	Idaho	28	Logan	Lawyer	Do.
Do	Hughes, Henry	Wales	69	Mendon	Farmer	Do.
Do	Kerr, William J	Utah	31	Logan	Teacher	Do.
Do	Low, James P	do	34	Smithfield	Merchant	Do.
Do	Maughan, Wm. H	England	60	Wellsville	Farmer	Do.
Do	Thatcher, Moses	Illinois	52	Logan	Banker	Do.
Do	Thoresen, I. C	Norway	42	Hyrum	Lawyer	Do.
Do	Warrum, Noble, jr	Indiana	30	Logan	do	Do.
Davis	Barnes, John R	England	61	Kaysville	Merchant	Do.
Do	Call, Chester	Illinois	53	Bountiful	Farmer	Do.
Do	Roberts, B. H	England	38	Centerville	Author	Do.
Emery	Howard, William	Ireland	48	Huntington	Mechanic	Do.
Do	Robertsen, Jasper	Illinois	48	Orangeville	Farmer	Do.
Do	Sharp, William G	Utah	38	Castle Gate	Mining	Do.
Garfield	Chidester, John F	do	42	Panguitch	Lawyer	Republican.
Grand	Peterson, Mons	Sweden	33	Moab	Farmer	Do.
Iron	Heyborne, R. W	Ireland	52	Cedar City	do	Do.
Juab	Coray, Louis L	Utah	33	Mona	do	Do.
Do	Hyde, Joseph A	California	42	Nephi	Merchant	Do.
Do	Ryan, George	Canada	57	Eureka	Mining	Do.
Kane	Robinson, Jos. E	Utah	27	Kanab	Merchant	Do.

Members of the constitutional convention, 1895—Continued.

County.	Members.	Nativity.	Age.	Residence.	Occupation.	Politics.
Millard	Crane, Charles	England	51	Kanosh	Stock grower	Republican.
Do	Thompson, Daniel	Canada	60	Scipio	Stock raiser	Do.
Morgan	Francis, Samuel	England	64	Morgan City	Farmer	Democrat.
Piute	Allen, Rufus A	Utah	38	Junction	do	Republican.
Rich	Nebeker, Aquila	do	35	Laketown	Stock grower	Democrat.
San Juan	Hammond, F. A	New York	72	Bluff	do	Do.
Salt Lake	Bowdle, John R	Ohio	48	Farmers	Lawyer	Republican.
Do	Cannon, George M	Utah	33	Forestdale	Banker	Do.
Do	Cushing, Arthur J	England	45	Sandy	Mining	Do.
Do	Green, James F	Utah	26	Draper	Farmer	Do.
Do	Haynes, Harry	Pennsylvania	47	Murray	Merchant	Do.
Do	Shurtliff, H. T	Massachusetts	54	Mill Creek	Farmer	Do.
Do	Squires, George B	do	50	Bingham	Mining	Do.
Do	Williams, Jos. J	England	65	West Jordan	Manufacturer	Do.
Salt Lake City:						
First	Eichnor, Dennis G	Pennsylvania	36	Salt Lake City	Lawyer	Do.
Do	Moritz, Jacob	Germany	46	do	Brewer	Do.
Do	Pierce, Frank	Vermont	37	do	Lawyer	Do.
Do	Symons, Chas. W	England	49	do	Artist	Do.
Second	Button, Herbert G	New York	39	do	Mechanic	Do.
Do	Hill, Samuel H	Canada	54	do	Merchant	Do.
Do	Lambert, Rich. G	Utah	40	do	Printer	Do.
Do	Mackintosh, Rich	Ireland	50	do	Mining	Do.
Do	Morris, Elias	North Wales	70	do	Manufacturer	Do.
Do	Van Horne, Wm. G	Arkansas	39	do	Lawyer	Do.
Third	Emery, George R	Utah	39	do	Accountant	Do.
Do	Kimball, Andrew	do	36	do	Merchant	Democrat.
Do	Preston, Wm. B	Virginia	61	do	Farmer	Do.
Do	Raleigh, A H	New Hampshire	76	do	Mechanic	Do.
Do	Smith, John H	Iowa	47	do	Minister	Republican.
Fourth	Richards, F. S	Utah	45	do	Lawyer	Democrat.
Do	Wells, Heber M	do	35	do	Banker	Republican.
Do	Whitney, Orson F	do	39	do	Author	Democrat.
Fifth	Goodwin, Chas. C	New York	62	do	Journalist	Republican.
Do	James, William F	Virginia	49	do	Miner	Do.
Do	Varian, Charles S	Ohio	48	do	Lawyer	Do.
Sanpete	Christiansen, P	Utah	37	Mayfield	Farmer	Do.
Do	Jolley, Joseph L	Illinois	49	Moroni	Stock grower	Do.
Do	Larsen, C. P	Denmark	49	Manti	Mechanic	Do.
Do	Larsen, Lauritz	do	61	Spring City	Farmer	Do.
Do	Lund, Anthony C	Utah	25	Ephraim	Teacher	Do.
Do	Page, Jeremiah D	New Jersey	48	Mount Pleasant	Stock grower	Do.
Do	Peterson, James C	Denmark	52	Fair View	Farmer	Do.
Sevier	Brandley, Theo	Switzerland	43	Richfield	Merchant	Do.
Do	Miller, George P	Ohio	41	Monroe	Minister	Do.
Do	Ricks, Joel	Utah	36	Salina	Railroading	Do.
Summit	Eldredge, Alma	Indiana	53	Coalville	Merchant	Do.
Do	Keith, David	Canada	47	Park City	Mining	Do.
Do	Kearns, Thomas	do	33	do	do	Do.
Do	Murdock, Jas D	Scotland	45	do	Engineering	Do.
Tooele	Clark, Thos. H, jr	Utah	40	Grantsville	Stock grower	Do.
Do	Stover, David B	Massachusetts	71	Stockton	Mining	Do.
Uintah	Johnson, Lycurgus	Texas	50	Vernal	Merchant	Democrat.
Utah	Boyer, John S	Pennsylvania	54	Springville	Farmer	Do.
Do	Corfman, Elmer E		30	Provo	Lawyer	Do
Do	Creer, William	England	59	Spanish Fork	Farmer	Do
Do	Cunningham, Geo	Scotland	54	American Fork	do	Do
Do	Engberg, Andreas	Denmark	54	Salem	Merchant	Do
Do	Evans, Abel J	Utah	42	Lehi	Farmer	Do
Do	Holladay, John D	Alabama	68	Santaquin	do	Do
Do	Lemmon, Hyrum	Illinois	45	Payson	Merchant	Do
Do	Maeser, Earl G	Germany	67	Provo	Teacher	Do
Do	Partridge, Edward	Missouri	61	do	Farmer	Do.
Do	Thorne, Joseph E	Utah	42	Pleasant Grove	Stock grower	Do.
Do	Thurman, Samuel R	Kentucky	43	Provo	Lawyer	Do.
Wasatch	Buys, William	Utah	42	Heber City	do	Do.
Do	Murdock, Joseph R	do	36	Charleston	Merchant	Do.
Washington	Ivins, Anthony W	New Jersey	42	St. George	Stock grower	Do.
Do	Snow, Edward H	Utah	29	do	Accountant	Do.
Wayne	Robison, Willis E	Illinois	41	Loa	Farmer	Do.
Weber	Adams, Louis B	Germany	53	Ogden	Banker	Republican.
Do	Driver, William	England	57	do	Pharmacist	Do.
Do	Evans, David	Utah	43	do	Lawyer	Democrat.
Do	Farr, Lorin	Vermont	75	do		Do.
Do	Kiesel, Frederick J	Germany	53	do	Merchant	Do.
Do	Kimball, James N	Indiana	46	do	Lawyer	Republican
Do	Lewis, Theodore B	Missouri	51	do	Teacher	Democrat.
Do	Maloney, Thomas	Tennessee	48	do	Lawyer	Do.
Do	McFarland, Robert	Scotland	50	West Weber	Stock grower	Republican.
Do	Spencer, Hiram H	Ohio	43	Ogden	Merchant	Democrat.
Do	Strevell, Charles N	Illinois	37	do	do	Republican.

The convention remained in session until the 8th of May, 1895, a period of sixty-six days, and after completing its work submitted the following draft of a constitution for the consideration of the electors of the Territory, to be voted on at the general election to be held on Tuesday, November 5 1895.

CONSTITUTION

PREAMBLE.

Grateful to Almighty God for life and liberty, we, the people of Utah, in order to secure and perpetuate the principles of free government, do ordain and establish this constitution.

ARTICLE I.—*Declaration of rights.*

SECTION 1. All men have the inherent and inalienable right to enjoy and defend their lives and liberties; to acquire, possess, and protect property; to worship according to the dictates of their consciences; to assemble peaceably, protest against wrongs, and petition for redress of grievances; to communicate freely their thoughts and opinions, being responsible for the abuse of that right.

SEC. 2. All political power is inherent in the people, and all free governments are founded on their authority for their equal protection and benefit, and they have the right to alter or reform their government as the public welfare may require.

SEC. 3. The State of Utah is an inseparable part of the Federal Union and the Constitution of the United States is the supreme law of the land.

SEC. 4. The rights of conscience shall never be infringed. The State shall make no law respecting an establishment of religion or prohibiting the free exercise thereof; no religious test shall be required as a qualification for any office of public trust or for any vote at any election; nor shall any person be incompetent as a witness or juror on account of religious belief or the absence thereof. There shall be no union of church and state, nor shall any church dominate the State or interfere with its functions. No public money or property shall be appropriated for or applied to any religious worship, exercise, or instruction, or for the support of any ecclesiastical establishment. No property qualification shall be required of any person to vote or hold office, except as provided in this constitution.

SEC. 5. The privilege of the writ of habeas corpus shall not be suspended, unless, in case of rebellion or invasion, the public safety requires it.

SEC. 6. The people have the right to bear arms for their security and defense, but the legislature may regulate the exercise of this right by law.

SEC. 7. No person shall be deprived of life, liberty, or property without due process of law.

SEC. 8. All prisoners shall be bailable by sufficient sureties, except for capital offenses when the proof is evident or the presumption strong.

SEC. 9. Excessive bail shall not be required; excessive fines shall not be imposed; nor shall cruel and unusual punishments be inflicted. Persons arrested or imprisoned shall not be treated with unnecessary rigor.

SEC. 10. In capital cases the right of trial by jury shall remain inviolate. In courts of general jurisdiction, except in capital cases, a jury shall consist of eight jurors. In courts of inferior jurisdiction a jury shall consist of four jurors. In criminal cases the verdict shall be unanimous. In civil cases three-fourths of the jurors may find a verdict. A jury in civil cases shall be waived unless demanded.

SEC. 11. All courts shall be open, and every person for an injury done to him in his person, property, or reputation shall have remedy by due course of law, which shall be administered without denial or unnecessary delay; and no person shall be barred from prosecuting or defending before any tribunal in this State, by himself or counsel, any civil cause to which he is a party.

SEC. 12. In criminal prosecutions the accused shall have the right to appear and defend in person and by counsel, to demand the nature and cause of the accusation against him, to have a copy thereof, to testify in his own behalf, to be confronted by the witnesses against him, to have compulsory process to compel the attendance of witnesses in his own behalf, to have a speedy public trial by an impartial jury of the county or district in which the offense is alleged to have been committed, and the right to appeal in all cases. In no instance shall any accused person, before final judgment, be compelled to advance money or fees to secure the rights herein guaranteed. The accused shall not be compelled to give evidence against himself; a wife shall not be compelled to testify against her husband nor a husband against his wife, nor shall any person be twice put in jeopardy for the same offense.

SEC. 13. Offenses heretofore required to be prosecuted by indictment shall be prosecuted by information after examination and commitment by a magistrate,

unless the examination be waived by the accused with the consent of the State, or by indictment, with or without such examination and commitment. The grand jury shall consist of seven persons, five of whom must concur to find an indictment; but no grand jury shall be drawn or summoned unless in the opinion of the judge of the district public interest demands it.

SEC. 14. The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures shall not be violated; and no warrant shall issue but upon probable cause, supported by oath or affirmation, particularly describing the place to be searched and the person or thing to be seized.

SEC. 15. No law shall be passed to abridge or restrain the freedom of speech or of the press. In all criminal prosecutions for libel the truth may be given in evidence to the jury; and if it shall appear to the jury that the matter charged as libelous is true, and was published with good motives and for justifiable ends, the party shall be acquitted; and the jury shall have the right to determine the law and the fact.

SEC. 16. There shall be no imprisonment for debt except in cases of absconding debtors.

SEC. 17. All elections shall be free, and no power, civil or military, shall at any time interfere to prevent the free exercise of the right of suffrage. Soldiers in time of war may vote at their post of duty, in or out of the State, under regulations to be prescribed by law.

SEC. 18. No bill of attainder, ex post facto law, or law impairing the obligation of contracts shall be passed.

SEC. 19. Treason against the State shall consist only in levying war against it, or in adhering to its enemies or in giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act.

SEC. 20. The military shall be in strict subordination to the civil power, and no soldier in time of peace shall be quartered in any house without the consent of the owner; nor in time of war except in a manner to be prescribed by law.

SEC. 21. Neither slavery nor involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall exist within this State.

SEC. 22. Private property shall not be taken or damaged for public use without just compensation.

SEC. 23. No law shall be passed granting irrevocably any franchise, privilege, or immunity.

SEC. 24. All laws of a general nature shall have uniform operation.

SEC. 25. This enumeration of rights shall not be construed to impair or deny others retained by the people.

SEC. 26. The provisions of this constitution are mandatory and prohibitory, unless by express words they are declared to be otherwise.

SEC. 27. Frequent recurrence to fundamental principles is essential to the security of individual rights and the perpetuity of free government.

ARTICLE II.—*State boundaries.*

SECTION 1. The boundaries of the State of Utah shall be as follows:

Beginning at a point formed by the intersection of the thirty-second degree of longitude west from Washington, with the thirty-seventh degree of north latitude; thence due west along said thirty-seventh degree of north latitude to the intersection of the same with the thirty-seventh degree of longitude west from Washington; thence due north along said thirty-seventh degree of west longitude to the intersection of the same with the forty-second degree of north latitude; thence due east along said forty-second degree of north latitude to the intersection of the same with the thirty-fourth degree of longitude west from Washington; thence due south along said thirty-fourth degree of west longitude to the intersection of the same with the forty-first degree of north latitude; thence due east along said forty-first degree of north latitude to the intersection of the same with the thirty-second degree of longitude west from Washington; thence due south along said thirty-second degree of west longitude to the place of beginning.

ARTICLE III.—*Ordinance.*

The following ordinance shall be irrevocable without the consent of the United States and the people of this State:

First. Perfect toleration of religious sentiment is guaranteed. No inhabitant of this State shall ever be molested in person or property on account of his or her mode of religious worship; but polygamous or plural marriages are forever prohibited.

Second. The people inhabiting this State do affirm and declare that they forever disclaim all right and title to the unappropriated public lands lying within the boundaries thereof, and to all lands lying within said limits owned or held by any Indian or Indian tribes, and that until the title thereto shall have been extinguished

by the United States, the same shall be and remain subject to the disposition of the United States, and said Indian lands shall remain under the absolute jurisdiction and control of the Congress of the United States. The lands belonging to citizens of the United States, residing without this State, shall never be taxed at a higher rate than the lands belonging to residents of this State; nor shall taxes be imposed by this State on lands or property herein, belonging to or which may hereafter be purchased by the United States or reserved for its use; but nothing in this ordinance shall preclude this State from taxing, as other lands are taxed, any lands owned or held by any Indian who has severed his tribal relations, and has obtained from the United States or from any person, by patent or other grant, a title thereto, save and except such lands as have been or may be granted to any Indian or Indians under any act of Congress, containing a provision exempting the lands thus granted from taxation, which last-mentioned lands shall be exempt from taxation so long, and to such extent, as is or may be provided in the act of Congress granting the same.

Third. All debts and liabilities of the Territory of Utah, incurred by authority of the legislative assembly thereof, are hereby assumed, and shall be paid by this State.

Fourth. The legislature shall make laws for the establishment and maintenance of a system of public schools, which shall be open to all the children of the State and be free from sectarian control.

ARTICLE IV.—*Elections and right of suffrage.*

SECTION 1. The rights of citizens of the State of Utah to vote and hold office shall not be denied or abridged on account of sex. Both male and female citizens of this State shall enjoy equally all civil, political, and religious rights and privileges.

SEC. 2. Every citizen of the United States of the age of 21 years and upward who shall have been a citizen for ninety days, and shall have resided in the State or Territory one year, in the county four months, and in the precinct sixty days next preceding any election, shall be entitled to vote at such election, except as herein otherwise provided.

SEC. 3. In all cases except those of treason, felony, or breach of the peace electors shall be privileged from arrest on the days of election during their attendance at elections and going to and returning therefrom.

SEC. 4. No elector shall be obliged to perform militia duty on the day of election, except in time of war or public danger.

SEC. 5. No person shall be deemed a qualified elector of this State unless such person be a citizen of the United States.

SEC. 6. No idiot, insane person, or person convicted of treason or crime against the elective franchise, unless restored to civil rights, shall be permitted to vote at any election or be eligible to hold office in this State.

SEC. 7. Except in elections levying a special tax or creating indebtedness, no property qualification shall be required for any person to vote or hold office.

SEC. 8. All elections shall be by secret ballot. Nothing in this section shall be construed to prevent the use of any machine or mechanical contrivance for the purpose of receiving and registering the votes cast at any election: *Provided*, That secrecy in voting be preserved.

SEC. 9. All general elections, except for municipal and school officers, shall be held on the Tuesday next following the first Monday in November of the year in which the election is held. Special elections may be held as provided by law. The terms of all officers elected at any general election shall commence on the first Monday in January next following the date of their election. Municipal and school officers shall be elected at such time as may be provided by law.

SEC. 10. All officers made elective or appointive by this constitution or by the laws made in pursuance thereof, before entering upon the duties of their respective offices, shall take and subscribe the following oath or affirmation: "I do solemnly swear (or affirm) that I will support, obey, and defend the Constitution of the United States and the constitution of this State, and that I will discharge the duties of my office with fidelity."

ARTICLE V.—*Distribution of powers.*

SECTION 1. The powers of the government of the State of Utah shall be divided into three distinct departments, the legislative, the executive, and the judicial; and no person charged with the exercise of powers properly belonging to one of these departments shall exercise any functions appertaining to either of the others, except in the cases herein expressly directed or permitted.

ARTICLE VI.—*Legislative department.*

SECTION 1. The legislative power of this State shall be vested in a senate and house of representatives, which shall be designated the legislature of the State of Utah.

SEC. 2. Regular sessions of the legislature shall be held biennially at the seat of government, and, except the first session thereof, shall begin on the second Monday in January next after the election of members of the house of representatives.

SEC. 3. The members of the house of representatives, after the first election, shall be chosen by the qualified electors of the respective representative districts on the first Tuesday after the first Monday in November, 1896, and biennially thereafter. Their term of office shall be two years from the first day of January next after their election.

SEC. 4. The senators shall be chosen by the qualified electors of the respective senatorial districts at the same times and places as members of the house of representatives, and their term of office shall be four years from the first day of January next after their election: *Provided*, That the senators elected in 1896 shall be divided by lot into two classes as nearly equal as may be; seats of senators of the first class shall be vacated at the expiration of two years, those of the second class at the expiration of four years; so that one-half, as near as possible, shall be chosen biennially thereafter. In case of increase in the number of senators they shall be annexed by lot to one or the other of the two classes, so as to keep them as nearly equal as practicable.

SEC. 5. No person shall be eligible to the office of senator or representative who is not a citizen of the United States, 25 years of age, a qualified voter in the district from which he is chosen, a resident for three years of the State, and for one year of the district from which he is elected.

SEC. 6. No person holding any public office of profit or trust under authority of the United States, or of this State, shall be a member of the legislature: *Provided*, That appointments in the State militia, and the offices of notary public, justice of the peace, United States commissioner, and postmaster of the fourth class, shall not, within the meaning of this section, be considered offices of profit or trust.

SEC. 7. No member of the legislature, during the term for which he was elected, shall be appointed or elected to any civil office of profit under this State, which shall have been created, or the emoluments of which shall have been increased, during the term for which he was elected.

SEC. 8. Members of the legislature, in all cases except treason, felony, or breach of peace, shall be privileged from arrest during each session of the legislature, for fifteen days next preceding each session, and in returning therefrom; and for words used in any speech or debate in either house, they shall not be questioned in any other place.

SEC. 9. The members of the legislature shall receive such per diem and mileage as the legislature may provide, not exceeding $4 per day, and 10 cents per mile for the distance necessarily traveled going to and returning from the place of meeting, on the most usual route, and they shall receive no other pay or perquisite.

SEC. 10. Each house shall be the judge of the election and qualifications of its members, and may punish them for disorderly conduct, and with the concurrence of two-thirds of all the members elected expel a member for cause.

SEC. 11. A majority of the members of each house shall constitute a quorum to transact business, but a smaller number may adjourn from day to day, and may compel the attendance of absent members in such manner and under such penalities as each house may prescribe.

SEC. 12. Each house shall determine the rules of its proceedings and choose its own officers and employees.

SEC. 13. The governor shall issue writs of election to fill vacancies that may occur in either house of the legislature.

SEC. 14. Each house shall keep a journal of its proceedings, which, except in case of executive sessions, shall be published, and the yeas and nays on any question, at the request of five members of such house, shall be entered upon the journal.

SEC. 15. All sessions of the legislature, except those of the senate while sitting in executive session, shall be public; and neither house, without the consent of the other, shall adjourn for more than three days nor to any other place than that in which it may be holding session.

SEC. 16. No regular session of the legislature (except the first, which may sit ninety days), shall exceed sixty days, except in cases of impeachment. No special session shall exceed thirty days, and in such special session, or when a regular session of the legislature trying cases of impeachment exceeds sixty days, the members shall receive for compensation only the usual per diem and mileage.

SEC. 17. The house of representatives shall have the sole power of impeachment, but in order to impeach, two-thirds of all the members elected must vote therefor.

SEC. 18. All impeachments shall be tried by the senate, and senators, when sitting for that purpose, shall take oath or make affirmation to do justice according to the law and the evidence. When the governor is on trial the chief justice of the supreme court shall preside. No person shall be convicted without the concurrence of two-thirds of the senators elected.

SEC. 19. The governor and other State and judicial officers, except justices of the peace, shall be liable to impeachment for high crimes, misdemeanors, or malfeasance in office; but judgment in such cases shall extend only to removal from office and disqualification to hold any office of honor, trust, or profit in the State. The party, whether convicted or acquitted, shall, nevertheless, be liable to prosecution, trial, and punishment according to law.

SEC. 20. No person shall be tried on impeachment unless he shall have been served with a copy of the articles thereof, at least ten days before the trial, and after such service he shall not exercise the duties of his office until he shall have been acquitted.

SEC. 21. All officers not liable to impeachment shall be removed for any of the offenses specified in this article, in such manner as may be provided by law.

SEC. 22. The enacting clause of every law shall be: "*Be it enacted by the legislature of the State of Utah*," and no bill or joint resolution shall be passed except with the assent of a majority of all the members elected to each house of the legislature, and after it has been read three times. The vote upon the final passage of all bills shall be by yeas and nays, and no law shall be revised or amended by reference to its title only; but the act as revised, or section as amended, shall be reenacted and published at length.

SEC. 23. Except general appropriation bills, and bills for the codification and general revision of laws, no bill shall be passed containing more than one subject, which shall be clearly expressed in its title.

SEC. 24. The presiding officer of each house, in the presence of the house over which he presides, shall sign all bills and joint resolutions passed by the legislature, after their titles have been publicly read immediately before signing, and the fact of such signing shall be entered upon the journal.

SEC. 25. All acts shall be officially published, and no act shall take effect until so published, nor until sixty days after the adjournment of the session at which it passed, unless the legislature, by a vote of two-thirds of all the members elected to each house, shall otherwise direct.

SEC. 26. The legislature is prohibited from enacting any private or special laws in the following cases:

First. Granting divorce.

Second. Changing the names of persons or places, or constituting one person the heir at law of another.

Third. Locating or changing county seats.

Fourth. Regulating the jurisdiction and duties of justices of the peace.

Fifth. Punishing crimes and misdemeanors.

Sixth. Regulating the practice of courts of justice.

Seventh. Providing for a change of venue in civil or criminal actions.

Eighth. Assessing and collecting taxes.

Ninth. Regulating the interest on money.

Tenth. Changing the law of descent or succession.

Eleventh. Regulating county and township affairs.

Twelfth. Incorporating cities, towns, or villages; changing or amending the charter of any city, town, or village; laying out, opening, vacating, or altering town plats, highways, streets, wards, alleys, or public grounds.

Thirteenth. Providing for sale or mortgage of real estate belonging to minors or others under disability.

Fourteenth. Authorizing persons to keep ferries across streams within the State.

Fifteenth. Remitting fines, penalties, or forfeitures.

Sixteenth. Granting to an individual, association, or corporation any privilege, immunity, or franchise.

Seventeenth. Providing for the management of common schools.

Eighteenth. Creating, increasing, or decreasing fees, percentages, or allowances of public officers during the term for which said officers are elected or appointed.

The legislature may repeal any existing special law relating to the foregoing subdivisions.

In all cases where a general law can be applicable no special law shall be enacted.

Nothing in this section shall be construed to deny or restrict the power of the legislature to establish and regulate the compensation and fees of county and township officers; to establish and regulate the rates of freight, passage, toll, and charges of railroads, toll roads, ditch, flume and tunnel companies incorporated under the laws of the State or doing business therein.

SEC. 27. The legislature shall have no power to release or extinguish, in whole or in part, the indebtedness, liability, or obligation of any corporation or person to the State or to any municipal corporation therein.

SEC. 28. The legislature shall not authorize any game of chance, lottery, or gift enterprise under any pretense or for any purpose

SEC. 29. The legislature shall not delegate to any special commission, private corporation, or association any power to make, supervise, or interfere with any municipal improvement, money, property, or effects, whether held in trust or otherwise, to levy taxes, to select a capitol site, or to perform any municipal functions.

SEC. 30. The legislature shall have no power to grant, or authorize any county or municipal authority to grant, any extra compensation, fee, or allowance to any public officer, agent, servant, or contractor after service has been rendered or a contract has been entered into and performed in whole or in part, nor pay or authorize the payment of any claim hereafter created against the State, or any county or municipality of the State, under any agreement or contract made without authority of law: *Provided*, That this section shall not apply to claims incurred by public officers in the execution of the laws of the State.

SEC. 31. The legislature shall not authorize the State, or any county, city, town, township, district, or other political subdivision of the State to lend its credit or subscribe to stock or bonds in aid of any railroad, telegraph, or other private individual or corporate enterprise or undertaking.

ARTICLE VII.—*Executive.*

SECTION 1. The executive department shall consist of governor, secretary of state, State auditor, State treasurer, attorney-general, and superintendent of public instruction, each of whom shall hold his office for four years, beginning on the first Monday of January next after his election, except that the terms of office of those elected at the first election shall begin when the State shall be admitted into the Union, and shall end on the first Monday in January, A. D. 1901. The officers of the executive department, during their terms of office, shall reside at the seat of government, where they shall keep the public records, books, and papers. They shall perform such duties as are prescribed by this constitution and as may be prescribed by law.

SEC. 2. The officers provided for in section 1 of this article shall be elected by the qualified electors of the State at the time and place of voting for members of the legislature, and the persons respectively having the highest number of votes cast for the office voted for shall be elected; but if two or more shall have an equal and highest number of votes for any one of said offices, the two houses of the legislature, at its next regular session, shall elect forthwith by joint ballot one of such persons for said office.

SEC. 3. No person shall be eligible to the office of governor or secretary of state unless he shall have attained the age of 30 years at the time of his election, nor to the office of attorney-general unless he shall have attained the age of 25 years at the time of his election and have been admitted to practice in the supreme court of the Territory or of the State of Utah, nor unless he shall be in good standing at the bar at the time of his election. No person shall be eligible to any of the offices provided for in section 1 of this article unless at the time of his election he shall be a qualified elector, and shall have been a resident citizen of the State or Territory for five years next preceding his election. The State auditor and State treasurer shall be ineligible to election as their own successors.

SEC. 4. The governor shall be commander in chief of the military forces of the State, except when they shall be called into the service of the United States. He shall have the power to call out the militia to execute the laws, to suppress insurrection, or to repel invasion.

SEC. 5. The governor shall see that laws are faithfully executed; he shall transact all executive business with the officers of the government, civil and military, and may require information in writing from the officers of the executive department and from the officers and managers of State institutions upon any subject relating to the condition, management, and expenses of their respective offices and institutions, and at any time when the legislative assembly is not in session may, if he deem it necessary, appoint a committee to investigate and report to him upon the condition of any executive office or State institution. He shall communicate by message the condition of the State to the legislature at every regular session, and recommend such measures as he may deem expedient.

SEC. 6. On extraordinary occasions the governor may convene the legislature by proclamation, in which shall be stated the purpose for which the legislature is to be convened, and it shall transact no legislative business except that for which it was especially convened, or such other legislative business as the governor may call to its attention while in session. The legislature, however, may provide for the expenses of the session and other matters incidental thereto. The governor may also by proclamation convene the senate in extraordinary session for the transaction of executive business.

SEC. 7. In case of a disagreement between the two houses of the legislature at any special session, with respect to the time of adjournment, the governor shall have power to adjourn the legislature to such time as he may think proper: *Provided*, That it be not beyond the time fixed for the convening of the next legislature.

SEC. 8. Every bill passed by the legislature, before it becomes a law, shall be presented to the governor; if he approve, he shall sign it, and thereupon it shall become

a law; but if he do not approve, he shall return it with his objections to the house in which it originated, which house shall enter the objections at large upon its journal and proceed to reconsider the bill. If, after such reconsideration, it again passes both houses by a yea and nay vote of two-thirds of the members elected to each house, it shall become a law, notwithstanding the governor's objections. If any bill be not returned within five days after it shall have been presented to him (Sunday and the day on which he received it excepted) the same shall be a law in like manner as if he had signed it, unless the legislature, by its final adjournment, prevent such return, in which case it shall be filed with his objections in the office of the secretary of state within ten days after such adjournment (Sundays excepted) or become a law. If any bill presented to the governor contain several items of appropriations of money, he may object to one or more such items, while approving other portions of the bill; in such case he shall append to the bill, at the time of signing it, a statement of the item or items which he declines to approve, together with his reasons therefor, and such item or items shall not take effect unless passed over the governor's objection, as in this section provided.

SEC. 9. When any State or district office shall become vacant, and no mode is provided by the constitution and laws for filling such vacancy, the governor shall have the power to fill the same by granting a commission, which shall expire at the next election, and upon qualification of the person elected to such office.

SEC. 10. The governor shall nominate and, by and with the consent of the senate, appoint all State and district officers whose offices are established by this constitution or which may be created by law, and whose appointment or election is not otherwise provided for. If, during the recess of the senate, a vacancy occur in any State or district office, the governor shall appoint some fit person to discharge the duties thereof until the next meeting of the senate, when he shall nominate some person to fill such office. If the office of justice of the supreme or district court, secretary of state, State auditor, State treasurer, attorney-general, or superintendent of public instruction be vacated by death, resignation, or otherwise, it shall be the duty of the governor to fill the same by appointment, and the appointee shall hold his office until his successor shall be elected and qualified as may be by law provided.

SEC. 11. In case of the death of the governor, or his impeachment, removal from office, inability to discharge the duties of his office, resignation, or absence from the State, the powers and duties of said office shall devolve upon the secretary of state until the disability shall cease, or until the next general election, when the vacancy shall be filled by election. If, during a vacancy in the office of the governor, the secretary of state resign, die, or become incapable of performing the duties of the office, or be displaced, or be absent from the State, the president pro tempore of the senate shall act as governor until the vacancy be filled or the disability cease. While performing the duties of the governor as in this section provided, the secretary of state or the president pro tempore of the senate, as the case may be, except in cases of temporary disability or absence from the State, shall be entitled to the salary and emoluments of the governor.

SEC. 12. Until otherwise provided by law, the governor, justices of the supreme court, and attorney-general shall constitute a board of pardons, a majority of whom, including the governor, upon such conditions and with such limitations and restrictions as they deem proper, may remit fines and forfeitures, commute punishments, and grant pardons after convictions, in all cases except treason and impeachments, subject to such regulations as may be provided by law, relative to the manner of applying for pardons; but no fine or forfeiture shall be remitted, and no commutation or pardon granted, except after a full hearing before the board, in open sessions, after previous notice of the time and place of such hearing has been given. The proceedings and decisions of the board, with the reasons therfore in each case, together with the dissent of any member who may disagree, shall be reduced to writing and filed with all papers used upon the hearing in the office of the secretary of state.

The governor shall have power to grant respites or reprieves in all cases of convictions for offenses against the State except treason or conviction on impeachment; but such respites or reprieves shall not extend beyond the next session of the board of pardons; and such board, at such session, shall continue or determine such respite or reprieve, or they may commute the punishment or pardon the offense as herein provided. In case of conviction for treason, the governor shall have the power to suspend execution of the sentence until the case shall be reported to the legislature at its next regular session, when the legislature shall either pardon or commute the sentence or direct its execution; he shall communicate to the legislature at each regular session each case of remission of fine or forfeiture, reprieve, commutation, or pardon granted since the last previous report, stating the name of the convict, the crime for which he was convicted, the sentence and its date, the date of remission, commutation, pardon, or reprieve, with the reasons for granting the same, and the objections, if any, of any member of the board made thereto.

SEC. 13. Until otherwise provided by law, the governor, secretary of state, and attorney-general shall constitute a board of State prison commissioners, which board shall have such supervision of all matters connected with the State prison as may be provided by law. They shall also constitute a board of examiners with power to examine all claims against the State except salaries or compensation of officers fixed by law, and perform such other duties as may be prescribed by law; and no claim against the State, except for salaries and compensation of officers fixed by law, shall be passed upon by the legislature without having been considered and acted upon by the said board of examiners.

SEC. 14. Until otherwise provided by law, the governor, State treasurer, and State auditor shall constitute a board of insane asylum commissioners. Said board shall have such supervision of all matters connected with the State insane asylum as may be provided by law.

SEC. 15. Until otherwise provided by law, the governor, attorney-general, and superintendent of public instruction shall constitute a board of reform school commissioners. Said board shall have such supervision of all matters connected with the State reform school as may be provided by law.

SEC. 16. The secretary of state shall keep a record of the official acts of the legislature and executive department of the State, and, when required, shall lay the same and all matters relative thereto before either branch of the legislature, and shall perform such other duties as may be provided by law.

SEC. 17. The auditor shall be auditor of public accounts, and the treasurer shall be the custodian of public moneys, and each shall perform such other duties as may be provided by law.

SEC. 18. The attorney-general shall be the legal adviser of the State officers and shall perform such other duties as may be provided by law.

SEC. 19. The superintendent of public instruction shall perform such duties as may be provided by law.

SEC. 20. The governor, secretary of state, auditor, treasurer, attorney-general, superintendent of public instruction, and such other State and district officers as may be provided for by law, shall receive for their services quarterly a compensation as fixed by law, which shall not be diminished or increased so as to affect the salary of any officer during his term, or the term next ensuing after the adoption of this constitution, unless a vacancy occur, in which case the successor of the former incumbent shall receive only such salary as may be provided by law at the time of his election or appointment. The compensation of the officers provided for by this article, until otherwise provided by law, is fixed as follows:

Governor, $2,000 per annum; secretary of state, $2,000 per annum; State auditor, $1,500 per annum; State treasurer, $1,000 per annum; attorney-general, $1,500 per annum; superintendent of public instruction, $1,500 per annum.

The compensation for said officers as prescribed in this section, and in all laws enacted pursuant to this constitution, shall be in full for all services rendered by said officers, respectively, in any official capacity or employment during their respective terms of office. No such officer shall receive for the performance of any official duty any fee for his own use, but all fees fixed by law for the performance by either of them of any official duty shall be collected in advance and deposited with the State treasurer quarterly to the credit of the State. The legislature may provide for the payment of actual and necessary expenses of said officers while traveling in the State in the performance of official duty.

SEC. 21. All grants and commissions shall be in the name and by the authority of the State of Utah, sealed with the great seal of the State, signed by the governor, and countersigned by the secretary of state.

SEC. 22. There shall be a seal of the State which shall be kept by the secretary of state, and used by him officially. Said seal shall be called "The great seal of the State of Utah." The present seal of the Territory of Utah shall be the seal of the State until otherwise provided by law.

SEC. 23. No person, while holding any office under the United States Government, shall hold any office under the State government of Utah, and the governor shall not be eligible for election to the Senate of the United States during the term for which he shall have been elected governor.

ARTICLE VIII.—*Judicial department.*

SECTION 1. The judicial powers of the State shall be vested in the senate sitting as a court of impeachment, in a supreme court, in district courts, in justices of the peace, and such other courts inferior to the supreme court as may be established by law.

SEC. 2. The supreme court shall consist of three judges; but after the year A. D. 1905 the legislature may increase the number thereof to five. A majority of the judges constituting the court shall be necessary to form a quorum or render a decision.

If a justice of the supreme court shall be disqualified from sitting in a cause before said court, the remaining judges shall call a district judge to sit with them on the hearing of such cause. The judges of the supreme court shall be elected by the electors of the State at large. The term of office of the judges of the supreme court, excepting as in this article otherwise provided, shall be six years. The judges of the supreme court, immediately after the first election under this constitution, shall be selected by lot, so that one shall hold office for the term of three years, one for the term of five years, and one for the term of seven years. The lots shall be drawn by judges of the supreme court, who, for that purpose, shall assemble at the seat of government; and they shall cause the result thereof to be certified by the secretary of state and filed in his office. The judge having the shortest term to serve, not holding his office by appointment or election to fill a vacancy, shall be the chief justice, and shall preside at all terms of the supreme court, and in case of his absence the judge having in like manner the next shortest term shall preside in his stead.

SEC. 3. Every judge of the supreme court shall be at least 30 years of age, and before his election shall be a member of the bar, learned in the law, and a resident of the Territory or State of Utah for five years next preceding his election.

SEC. 4. The supreme court shall have original jurisdiction to issue writs of mandamus, certiorari, prohibition, quo warranto, and habeas corpus. Each of the justices shall have power to issue writs of habeas corpus to any part of the State, upon petition by or on behalf of any person held in actual custody, and may make such writs returnable before himself or the supreme court, or before any district court or judge thereof in the State. In other cases the supreme court shall have appellate jurisdiction only, and power to issue writs necessary and proper for the exercise of that jurisdiction. The supreme court shall hold at least three terms every year, and shall sit at the capital of the State.

SEC. 5. The State shall be divided into seven judicial districts, for each of which, at least one, and not exceeding three judges, shall be chosen by the qualified electors thereof. The term of office of the district judges shall be four years; except that the district judges elected at the first election shall serve until the first Monday in January, A. D. 1901, and until their successors shall have qualified. Until otherwise provided by law, a district court at the county seat of each county shall be held at least four times a year. All civil and criminal business arising in any county must be tried in such county, unless a change of venue be taken in such cases as may be provided by law. Each judge of a district court shall be at least 25 years of age, a member of the bar, learned in the law, a resident of the Territory or State of Utah three years next preceding his election, and shall reside in the district for which he shall be elected. Any district judge may hold a district court in any county at the request of the judge of the district, and upon a request of the governor it shall be his duty to do so. Any cause in the district court may be tried by a judge pro tempore, who must be a member of the bar, sworn to try the cause and agreed upon by the parties or their attorneys of record.

SEC. 6. The legislature may change the limits of any judicial district, or increase or decrease the number of districts or the judges thereof. No alteration or increase shall have the effect of removing a judge from office. In every additional district established a judge shall be elected by the electors thereof, and his term of office shall continue as provided in section 5 of this article.

SEC. 7. The district court shall have original jurisdiction in all matters, civil and criminal, not excepted in this constitution and not prohibited by law; appellate jurisdiction from all inferior courts and tribunals, and a supervisory control of the same. The district courts or any judge thereof shall have power to issue writs of habeas corpus, mandamus, injunction, quo warranto, certiorari, prohibition, and other writs necessary to carry into effect their orders, judgments, and decrees and to give them a general control over inferior courts and tribunals within their respective jurisdictions.

SEC. 8. The legislature shall determine the number of justices of the peace to be elected, and shall fix by law their powers, duties, and compensation. The jurisdiction of justices of the peace shall be as now provided by law, but the legislature may restrict the same.

SEC. 9. From all final judgments of the district courts there shall be a right of appeal to the supreme court. The appeal shall be upon the record made in the court below and under such regulations as may be provided by law. In equity cases the appeal may be on questions of both law and fact; in cases at law the appeal shall be on questions of law alone. Appeals shall also lie from the final orders and decrees of the court in the administration of decedent estates and in cases of guardianship, as shall be provided by law. Appeals shall also lie from the final judgment of justices of the peace in civil and criminal cases to the district courts on both questions of law and fact, with such limitations and restrictions as shall be provided by law; and the decision of the district courts on such appeals shall be final, except in cases involving the validity or constitutionality of a statute.

SEC. 10. A county attorney shall be elected by the qualified voters of each county, who shall hold his office for a term of two years. The powers and duties of county attorneys, and such other attorneys for the State as the legislature may provide, shall be prescribed by law. In all cases where the attorney for any county or for the State fails or refuses to attend and prosecute according to law, the court shall have power to appoint an attorney pro tempore.

SEC. 11. Judges may be removed from office by the concurrent vote of both houses of the legislature, each voting separately; but two-thirds of the members to which each house may be entitled must concur in such vote. The vote shall be determined by yeas and nays, and the names of the members voting for or against a judge, together with the cause or causes of removal, shall be entered on the journal of each house. The judge against whom the house may be about to proceed shall receive notice thereof, accompanied with a copy of the cause alleged for his removal, at least ten days before the day on which either house of the legislature shall act thereon.

SEC. 12. The judges of the supreme and district courts shall receive at stated times compensation for their services, which shall not be increased or diminished during the time for which they are elected.

SEC. 13. Except by consent of all the parties, no judge of the supreme or inferior courts shall preside in the trial of any cause where either of the parties shall be connected with him by affinity or consanguinity within the degree of first cousin, or in which he may have been of counsel, or in the trial of which he may have presided in any inferior court.

SEC. 14. The supreme court shall appoint a clerk and a reporter of its decisions, who shall hold their offices during the pleasure of the court. Until otherwise provided, county clerks shall be ex officio clerks of the district courts in and for their respective counties, and shall perform such other duties as may be provided by law.

SEC. 15. No person related to any judge of any court by affinity or consanguinity within the degree of first cousin shall be appointed by such court or judge to, or employed by such court or judge in, any office or duty in any court of which such judge may be a member.

SEC. 16. Until otherwise provided by law, the judicial districts of the State shall be constituted as follows:

First district. The counties of Cache, Boxelder, and Rich.

Second district. The counties of Weber, Morgan, and Davis.

Third district. The counties of Summit, Salt Lake, and Tooele, in which there shall be elected three district judges.

Fourth district. The counties of Utah, Wasatch, and Uinta.

Fifth district. The counties of Juab, Millard, Beaver, Iron, and Washington.

Sixth district. The counties of Sevier, Piute, Wayne, Garfield, and Kane.

Seventh district. The counties of Sanpete, Carbon, Emery, Grand, and San Juan.

SEC. 17. The supreme and district courts shall be courts of record, and each shall have a seal.

SEC. 18. The style of all process shall be "The State of Utah," and all prosecutions shall be conducted in the name and by the authority of the same.

SEC. 19. There shall be but one form of civil action, and law and equity may be administered in the same action.

SEC. 20. Until otherwise provided by law, the salaries of supreme and district judges shall be $3,000 per annum and mileage, payable quarterly out of the State treasury.

SEC. 21. Judges of the supreme court, district courts, and justices of the peace shall be conservators of the peace and may hold preliminary examinations in cases of felony.

SEC. 22. District judges may at any time report defects and omissions in the law to the supreme court, and the supreme court on or before the first day of December of each year shall report in writing to the governor any seeming defect or omission in the law.

SEC. 23. The legislature may provide for the publication of decisions and opinions of the supreme court, but all decisions shall be free to publishers.

SEC. 24. The terms of office of supreme and district judges may be extended by law, but such extension shall not affect the term for which any judge was elected.

SEC. 25. When a judgment or decree is reversed, modified, or affirmed by the supreme court, the reasons therefor shall be stated concisely in writing, signed by the judges concurring, filed in the office of the clerk of the supreme court, and preserved with a record of the case. Any judge dissenting therefrom may give the reasons of his dissent in writing over his signature.

SEC. 26. It shall be the duty of the court to prepare a syllabus of all the points adjudicated in each case, which shall be concurred in by a majority of the judges thereof, and it shall be prefixed to the published reports of the case.

SEC. 27. Any judicial officer who shall absent himself from the State or district for more than ninety consecutive days shall be deemed to have forfeited his office: *Provided*, That in cases of extreme necessity the governor may extend the leave of absence to such time as the necessity therefor may exist.

ARTICLE IX.—*Congressional and legislative apportionment.*

SECTION 1. One Representative in the Congress of the United States shall be elected from the State at large on the Tuesday next after the first Monday in November, A. D. 1895, and thereafter at such times and places and in such manner as may be prescribed by law. When a new apportionment shall be made by Congress, the legislature shall divide the State into Congressional districts accordingly.

SEC. 2. The legislature shall provide by law for an enumeration of the inhabitants of the State in A. D. 1905, and every tenth year thereafter, and at the session next following such enumeration, and also at the session next following an enumeration made by the authority of the United States, shall revise and adjust the apportionment for senators and representatives on the basis of such enumeration according to ratios to be fixed by law.

SEC. 3. The senate shall consist of eighteen members and the house of representatives of forty-five members. The legislature may increase the number of senators and representatives, but the senators shall never exceed thirty in number, and the number of representatives shall never be less than twice nor greater than three times the number of senators.

SEC. 4. When more than one county shall constitute a senatorial district such counties shall be contiguous, and no county shall be divided in the formation of such districts unless such county contains sufficient population within itself to form two or more districts, nor shall a part of any county be united with any other county in forming any district.

REPRESENTATIVE DISTRICTS.

Until otherwise provided by law, representatives shall be apportioned among the several counties of the State as follows: *Provided*, That in any future apportionment made by the legislature, each county shall be entitled to at least one representative:

The county of Boxelder shall constitute the first representative district, and be entitled to one representative.

The county of Cache shall constitute the second representative district, and be entitled to three representatives.

The county of Rich shall constitute the third representative district, and be entitled to one representative.

The county of Weber shall constitute the fourth representative district, and be entitled to four representatives.

The county of Morgan shall constitute the fifth representative district, and be entitled to one representative.

The county of Davis shall constitute the sixth representative district, and be entitled to one representative.

The county of Tooele shall constitute the seventh representative district, and be entitled to one representative.

The county of Salt Lake shall constitute the eighth representative district, and be entitled to ten representatives.

The county of Summit shall constitute the ninth representative district, and be entitled to one representative.

The county of Wasatch shall constitute the tenth representative district, and be entitled to one representative.

The county of Utah shall constitute the eleventh representative district, and be entitled to four representatives.

The county of Uinta shall constitute the twelfth representative district, and be entitled to one representative.

The county of Juab shall constitute the thirteenth representative district, and be entitled to one representative.

The county of Sanpete shall constitute the fourteenth representative district, and be entitled to two representatives.

The county of Carbon shall constitute the fifteenth representative district, and be entitled to one representative.

The county of Emery shall constitute the sixteenth representative district, and be entitled to one representative.

The county of Grand shall constitute the seventeenth representative district, and be entitled to one representative.

The county of Sevier shall constitute the eighteenth representative district, and be entitled to one representative.

The county of Millard shall constitute the nineteenth representative district, and be entitled to one representative.

The county of Beaver shall constitute the twentieth representative district, and be entitled to one representative.

The county of Piute shall constitute the twenty-first representative district, and be entitled to one representative.

The county of Wayne shall constitute the twenty-second representative district, and be entitled to one representative.

The county of Garfield shall constitute the twenty-third representative district, and be entitled to one representative.

The county of Iron shall constitute the twenty-fourth representative district, and be entitled to one representative.

The county of Washington shall constitute the twenty-fifth representative district, and be entitled to one representative.

The county of Kane shall constitute the twenty-sixth representative district, and be entitled to one representative.

The county of San Juan shall constitute the twenty-seventh representative district, and be entitled to one representative.

SENATORIAL DISTRICTS.

Until otherwise provided by law, the senatorial districts shall be constituted and numbered as follows:

The counties of Boxelder and Tooele shall constitute the first district, and be entitled to one senator.

The county of Cache shall constitute the second district, and be entitled to one senator.

The counties of Rich, Morgan, and Davis shall constitute the third district, and be entitled to one senator.

The county of Weber shall constitute the fourth district, and be entitled to two senators.

The counties of Summit and Wasatch shall constitute the fifth district, and be entitled to one senator.

The county of Salt Lake shall constitute the sixth district, and be entitled to five senators.

The county of Utah shall constitute the seventh district, and be entitled to two senators.

The counties of Juab and Millard shall constitute the eighth district, and be entitled to one senator.

The county of Sanpete shall constitute the ninth district, and be entitled to one senator.

The counties of Sevier, Wayne, Piute, and Garfield shall constitute the tenth district, and be entitled to one senator.

The counties of Beaver, Iron, Washington, and Kane shall constitute the eleventh district, and be entitled to one senator.

The counties of Emery, Carbon, Uintah, Grand, and San Juan shall constitute the twelfth district, and be entitled to one senator.

ARTICLE X.—*Education.*

SECTION 1. The legislature shall provide for the establishment and maintenance of a uniform system of public schools, which shall be open to all the children of the State and be free from sectarian control.

SEC. 2. The public school system shall include kindergarten schools; common schools, consisting of primary and grammar grades; high schools; an agricultural college; a university, and such other schools as the legislature may establish. The common schools shall be free. The other departments of the system shall be supported as provided by law: *Provided*, That high schools may be maintained free in all the cities of the first and second class now constituting school districts, and in such other cities and districts is may be designated by the legislature. But where the proportion of school moneys apportioned or accruing to any city or district shall not be sufficient to maintain all the free schools in such city or district, the high schools shall be supported by local taxation.

SEC. 3. The proceeds of all lands that have been or may be granted by the United States to this State for the support of the common schools; the proceeds of all property that may accrue to the State by escheat or forfeiture; all unclaimed shares and dividends of any corporation incorporated under the laws of this State; the proceeds of the sale of timber, minerals, or other property from the school and State lands other than those granted for specific purposes; and the 5 per centum of the net proceeds of the sales of public lands lying within the State which shall be sold

by the United States subsequent to the admission of this State into the Union, shall be and remain a perpetual fund, to be called the State school fund, the interest of which only, together with such other means as the legislature may provide, shall be distributed among the several school districts according to the school population residing therein.

SEC. 4. The location and establishment by existing laws of the University of Utah and the Agricultural College are hereby confirmed, and all the rights, immunities, franchises, and endowments heretofore granted or conferred are hereby perpetuated unto said University and Agricultural College respectively.

SEC. 5. The proceeds of the sale of lands reserved by an act of Congress approved February 21, 1855, for the establishment of the University of Utah, and of all the lands granted by an act of Congress approved July 16, 1894, shall constitute permanent funds, to be safely invested and held by the State; and the income thereof shall be used exclusively for the support and maintenance of the different institutions and colleges respectively, in accordance with the requirements and conditions of said acts of Congress.

SEC. 6. In cities of the first and second class, the public school system shall be maintained and controlled by the board of education of such cities separate and apart from the counties in which said cities are located.

SEC. 7. All public school funds shall be guaranteed by the State against loss or diversion.

SEC. 8. The general control and supervision of the public school system shall be vested in a State board of education, consisting of the superintendent of public instruction and such other persons as the legislature may provide.

SEC. 9. Neither the legislature nor the State board of education shall have power to prescribe text-books to be used in the common schools.

SEC. 10. Institutions for the deaf and dumb and for the blind are hereby established. All property belonging to the school for the deaf and dumb, heretofore connected with the University of Utah, shall be transferred to said institution for the deaf and dumb. All the proceeds of the lands granted by the United States for the support of a deaf and dumb asylum and for an institution for the blind shall be a perpetual fund for the maintenance of said institutions. It shall be a trust fund, the principal of which shall remain inviolate, guaranteed by the State against loss or diversion.

SEC. 11. The metric system shall be taught in the public schools of the State.

SEC. 12. Neither religious nor partisan test or qualification shall be required of any person as a condition of admission as a teacher or student into any public educational institution of the State.

SEC. 13. Neither the legislature nor any county, city, town, school district, or other public corporation, shall make any appropriation to aid in the support of any school, seminary, academy, college, university, or other institution controlled in whole or in part by any church, sect, or denomination whatever.

ARTICLE XI.—*Counties, cities, and towns.*

SECTION 1. The several counties of the Territory of Utah, existing at the time of the adoption of this constitution, are hereby recognized as legal subdivisions of this State, and the precincts and school districts now existing in said counties as legal subdivisons thereof, and they shall so continue until changed by law in pursuance of this article.

SEC. 2. No county seat shall be removed unless two-thirds of the qualified electors of the county, voting on the proposition at a general election, shall vote in favor of such removal, and two-thirds of the votes cast on the proposition shall be required to relocate a county seat. A proposition of removal shall not be submitted in the same county more than once in four years.

SEC. 3. No territory shall be stricken from any county unless a majority of the voters living in such territory, as well as of the county to which it is to be annexed, shall vote therefor, and then only under such conditions as may be prescribed by general law.

SEC. 4. The legislature shall establish a system of county government, which shall be uniform throughout the State, and by general laws shall provide for precinct and township organizations.

SEC. 5. Corporations for municipal purposes shall not be created by special laws; the legislature, by general laws, shall provide for the incorporation, organization, and classification of cities and towns in proportion to population; which laws may be altered, amended or repealed.

SEC. 6. No municipal corporation shall, directly or indirectly, lease, sell, alienate, or dispose of any waterworks, water rights, or sources of water supply now or hereafter to be owned or controlled by it; but all such waterworks, water rights, and sources of water supply now owned or hereafter to be acquired by any municipal

corporation shall be preserved, maintained, and operated by it for supplying its inhabitants with water at reasonable charges: *Provided*, That nothing herein contained shall be construed to prevent any such municipal corporation from exchanging water rights or sources of water supply for other water rights or sources of water supply of equal value, and to be devoted in like manner to the public supply of its inhabitants.

ARTICLE XII.—*Corporations.*

SECTION 1. Corporations may be formed under general laws, but shall not be created by special acts. All laws relating to corporations may be altered, amended, or repealed by the legislature, and all corporations doing business in this State may, as to such business, be regulated, limited, or restrained by law.

SEC. 2. All existing charters, franchises, special or exclusive privileges, under which an actual and bona fide organization shall not have taken place and business been commenced in good faith at the time of the adoption of this constitution, shall thereafter have no validity; and no corporation in existence at the time of the adoption of this constitution shall have the benefit of future legislation without first filing in the office of the secretary of state an acceptance of the provisions of this constitution.

SEC. 3. The legislature shall not extend any franchise or charter, nor remit the forfeiture of any franchise or charter of any corporation now existing, or which shall hereafter exist under the laws of this State.

SEC. 4. The term "corporation," as used in this article, shall be construed to include all associations and joint stock companies having any powers or privileges of corporations not possessed by individuals or partnerships, and all corporations shall have the right to sue, and shall be subject to be sued, in all courts, in like cases as natural persons.

SEC. 5. Corporations shall not issue stock, except to bona fide subscribers thereof, or their assigns, nor shall any corporation issue any bond, or other obligation, for the payment of money, except for money or property received, or labor done. The stock of corporations shall not be increased, except in pursuance of general law, nor shall any law authorize the increase of stock without the consent of the person or persons holding the larger amount in value of the stock, or without due notice of the proposed increase having previously been given in such manner as may be prescribed by law. All fictitious increase of stock or indebtedness shall be void.

SEC. 6. No corporation organized outside of this State shall be allowed to transact business within the State on conditions more favorable than those prescribed by law to similar corporations organized under the laws of this State.

SEC. 7. No corporation shall lease or alienate any franchise, so as to relieve the franchise or property held thereunder from the liabilities of the lessor, or grantor, lessee, or grantee, contracted or incurred in operation, use, or enjoyment of such franchise, or any of its privileges.

SEC. 8. No law shall be passed granting the right to construct and operate a street railroad, telegraph, telephone, or electric light plant within any city or incorporated town without the consent of the local authorities who have control of the street or highway proposed to be occupied for such purposes.

SEC. 9. No corporation shall do business in this State without having one or more places of business with an authorized agent or agents, upon whom process may be served; nor without first filing a certified copy of its articles of incorporation with the secretary of state.

SEC. 10. No corporation shall engage in any business other than that expressly authorized in its charter, or articles of incorporation.

SEC. 11. The exercise of the right of eminent domain shall never be so abridged or construed as to prevent the legislature from taking the property and franchises of incorporated companies, and subjecting them to public use the same as the property of individuals.

SEC. 12. All railroad and other transportation companies are declared to be common carriers, and subject to legislative control; and such companies shall receive and transport each other's passengers and freight, without discrimination or unnecessary delay.

SEC. 13. No railroad corporation shall consolidate its stock, property, or franchise with any other railroad corporation owning a competing line.

SEC. 14. The rolling stock and other movable property belonging to any railroad company or corporation in this State shall be considered personal property, and shall be liable to taxation and to execution and sale in the same manner as the personal property of individuals, and such property shall not be exempted from execution and sale.

SEC. 15. The legislature shall pass laws establishing reasonable maximum rates of charges for the transportation of passengers and freight, for correcting abuses and preventing discrimination and extortion in rates of freight and passenger tariffs by

the different railroads and other common carriers in the State, and shall enforce such laws by adequate penalties.

SEC. 16. No corporation or association shall bring any armed person or bodies of men into this State for the preservation of the peace or the suppression of domestic troubles without authority of law.

SEC. 17. No officer, employee, attorney, or agent of any corporation, company, or association doing business under or by virtue of any municipal charter or franchise shall be eligible to, or permitted to hold, any municipal office in the municipality granting such charter or franchise.

SEC. 18. The stockholders in every corporation and joint stock association for banking purposes, in addition to the amount of capital stock subscribed and fully paid by them, shall be individually responsible for an additional amount equal to the amonnt of their stock in such corporation for all its debts and liabilities of every kind.

SEC. 19. Every person in this State shall be free to obtain employment whenever possible, and any person, corporation, or agent, servant, or employee thereof, maliciously interfering or hindering in any way any person from obtaining, or enjoying employment already obtained, from any other corporation or person, shall be deemed guilty of a crime. The legislature shall provide by law for the enforcement of this section.

SEC. 20. Any combination by individuals, corporations, or associations having for its object or effect the controlling of the price of any products of soil or of any article of manufacture or commerce, or the cost of exchange or tranportation, is prohibited, and hereby declared unlawful and against public policy. The legislature shall pass laws for the enforcement of this section by adequate penalties, and in case of incorporated companies, if necessary, it may declare a forfeiture of their franchise.

ARTICLE XIII.—*Revenue and taxation.*

SECTION 1. The fiscal year shall begin on the 1st day of January, unless changed by the legislature.

SEC. 2. All property in the State not exempt under the laws of the United States or under this constitution shall be taxed in proportion to its value, to be ascertained as provided by law. The word "property," as used in this article, is hereby declared to include moneys, credits, bonds, stocks, franchises, and all matters and things (real, personal, and mixed) capable of private ownership; but this shall not be so construed as to authorize the taxation of the stocks of any company or corporation when the property of such company or corporation represented by such stocks has been taxed. The legislature shall provide by law for an annual tax sufficient, with other sources of revenue, to defray the estimated ordinary expenses of the State for each fiscal year. For the purpose of paying the State debt, if any there be, the legislature shall provide for levying a tax annually sufficient to pay the annual interest and principal of such debt within twenty years from the final passage of the law creating the debt.

SEC. 3. The legislature shall provide by law a uniform and equal rate of assessment and taxation on all property in the State, according to its value in money, and shall prescribe by general law such regulations as shall secure a just valuation for taxation of all property; so that every person and corporation shall pay a tax in proportion to the value of his, her, or its property: *Provided*, That a deduction of debts from credits may be authorized: *Provided further*, That the property of the United States, of the State, counties, cities, towns, school districts, municipal corporations, and public libraries, lots with the buildings thereon used exclusively for either religious worship or charitable purposes, and places of burial not used or held for private or corporate benefit, shall be exempt from taxation. Ditches, canals, and flumes owned and used by individuals or corporations for irrigating lands owned by such individuals or corporations, or the individual members thereof, shall not be separately taxed so long as they shall be owned and used exclusively for such purpose.

SEC. 4. All mines and mining claims, both placer and rock in place, containing or bearing gold, silver, copper, lead, coal, or other valuable mineral deposits, after purchase thereof from the United States, shall be taxed at the price paid the United States therefor, unless the surface ground, or some part thereof, of such mine or claim, is used for other than mining purposes, and has a separate and independent value for such other purposes; in which case said surface ground, or any part thereof so used for other than mining purposes, shall be taxed at its value for such other purposes, as provided by law; and all machinery used in mining, and all property and surface improvements upon or appurtenant to mines and mining claims which have a value separate and independent of such mines or mining claims, and the net annual proceeds of all mines and mining claims, shall be taxed as provided by law.

SEC. 5. The legislature shall not impose taxes for the purpose of any county, city, town, or other municipal corporation, but may, by law, vest in the corporate authori-

ties thereof, respectively, the power to assess and collect taxes for all purposes of such corporation.

SEC. 6. An accurate statement of the receipts and expenditures of the public moneys shall be published annually in such a manner as the legislature may provide.

SEC. 7. The rate of taxation on property, for State purposes, shall never exceed 8 mills on each dollar of valuation; and whenever the taxable property within the State shall amount to $200,000,000, the rate shall not exceed 5 mills on each dollar of valuation, and whenever the taxable property within the State shall amount to $300,000,000, the rate shall never thereafter exceed 4 mills on each dollar of valuation; unless a proposition to increase such rate, specifying the rate proposed, and the time during which the same shall be levied, be first submitted to a vote of such of the qualified electors of the State as, in the year next preceding such election, shall have paid a property tax assessed to them within the State, and the majority of those voting thereon shall vote in favor thereof, in such manner as may be provided by law.

SEC. 8. The making of profit out of public moneys, or using the same for any purpose not authorized by law, by any public officer, shall be deemed a felony, and shall be punished as provided by law, but part of such punishment shall be disqualification to hold public office.

SEC. 9. No appropriation shall be made, or any expenditure authorized by the legislature, whereby the expenditure of the State, during any fiscal year, shall exceed the total tax then provided for by law, and applicable for such appropriation or expenditure, unless the legislature making such appropriation shall provide for levying a sufficient tax, not exceeding the rates allowed in section 7 of this article, to pay such appropriation or expenditure within such fiscal year. This provision shall not apply to appropriations or expenditures to suppress insurrections, defend the State, or assist in defending the United States in time of war.

SEC. 10. All corporations or persons in this State, or doing business herein, shall be subject to taxation, for State, county, school, municipal, or other purposes, on the real and personal property owned or used by them within the territorial limits of the authority levying the tax.

SEC. 11. Until otherwise provided by law, there shall be a State board of equalization, consisting of the governor, State auditor, State treasurer, secretary of state, and attorney-general; also, in each county in this State, a county board of equalization, consisting of the board of county commissioners of said county. The duty of the State board of equalization shall be to adjust and equalize the valuation of the real and personal property among the several counties of the State. The duty of the county board of equalization shall be to adjust and equalize the valuation of the real and personal property within their respective counties. Each board shall also perform such duties as may be prescribed by law.

SEC. 12. Nothing in this constitution shall be construed to prevent the legislature from providing a stamp tax, or a tax based on income, occupation, licenses, franchises, or mortgages.

ARTICLE XIV.—*Public debt.*

SECTION 1. To meet casual deficits or failures in revenue and for necessary expenditures for public purposes, including the erection of public buildings, and for the payment of all Territorial indebtedness assumed by the State, the State may contract debts, not exceeding in the aggregate at any one time the sum of $200,000 over and above the amount of the Territorial indebtedness assumed by the State. But when the said Territorial indebtedness shall have been paid, the State shall never contract any indebtedness, except as in the next section provides in excess of the sum of $200,000, and all moneys arising from loans herein authorized shall be applied solely to the purposes for which they were obtained.

SEC. 2. The State may contract debts to repel invasion, suppress insurrection, or defend the State in war, but the money arising from the contracting of such debts shall be applied solely to the purpose for which it was obtained.

SEC. 3. No debt in excess of the taxes for the current year shall be created by any county or subdivision thereof, or by any school district therein, or by any city, town, or village, or any subdivision thereof, in this State, unless the proposition to create such debt shall have been submitted to a vote of such qualified electors as shall have paid a property tax therein, in the year preceding such election, and a majority of those voting thereon shall have voted in favor of incurring such debt.

SEC. 4. When authorized to create indebtedness as provided in section 3 of this article, no county shall become indebted to an amount, including existing indebtedness, exceeding 2 per centum. No city, town, school district, or other municipal corporation shall become indebted to an amount, including existing indebtedness, exceeding 4 per centum of the value of the taxable property therein, the value to be ascertained by the last assessment for State and county purposes previous to the incurring of such indebtedness; except that in incorporated cities the assessment shall

be taken from the last assessment for city purposes: *Provided*, That no part of the indebtedness allowed in this section shall be incurred for other than strictly county, city, town, or school district purposes: *Provided further*, That any city or town when authorized as provided in section 3 of this article, may be allowed to incur a larger indebtedness not exceeding 4 per centum additional for supplying such city or town with water, artificial light, or sewers, when the works for supplying such water, light, and sewers shall be owned and controlled by the municipality.

SEC. 5. All moneys borrowed by or on behalf of the State, or any legal subdivision thereof, shall be used solely for the purpose specified in the law authorizing the loan.

SEC. 6. The State shall not assume the debt, or any part thereof, of any county, city, town, or school district.

SEC. 7. Nothing in this article shall be so construed as to impair or add to the obligation of any debt heretofore contracted, in accordance with the laws of Utah Territory, by any county, city, town, or school district, or to prevent the contracting of any debt, or the issuing of bonds therefor, in accordance with said laws, upon any proposition for that purpose which, according to said laws, may have been submitted to a vote of the qualified electors of any county, city, town, or school district before the day on which this constitution takes effect.

ARTICLE XV.—*Militia.*

SECTION 1. The militia shall consist of all able-bodied male inhabitants of the State between the ages of 18 and 45 years, except such as are exempt by law.

SEC. 2. The legislature shall provide by law for the organization, equipment, and discipline of the militia, which shall conform as nearly as practicable to the regulations for the government of the armies of the United States.

ARTICLE XVI.—*Labor.*

SECTION 1. The rights of labor shall have just protection through laws calculated to promote the industrial welfare of the State.

SEC. 2. The legislature shall provide by law for a board of labor, conciliation, and arbitration which shall fairly represent the interests of both capital and labor. The board shall perform duties and receive compensation as prescribed by law.

SEC. 3. The legislature shall prohibit:

(1) The employment of women or of children under the age of 14 years in underground mines.

(2) The contracting of convict labor.

(3) The labor of convicts outside prison grounds, except on public works under the direct control of the State.

(4) The political and commercial control of employees.

SEC. 4. The exchange of blacklists by railroad companies, or other corporations, associations, or persons, is prohibited.

SEC. 5. The right of action to recover damages for injuries resulting in death shall never be abrogated, and the amount recoverable shall not be subject to any statutory limitation.

SEC. 6. Eight hours shall constitute a day's work on all works or undertakings carried on or aided by the State, county, or municipal governments; and the legislature shall pass laws to provide for the health and safety of employees in factories, smelters, and mines.

SEC. 7. The legislature by appropriate legislation shall provide for the enforcement of the provisions of this article.

ARTICLE XVII.—*Water rights.*

SECTION 1. All existing rights to the use of any of the waters in this State for any useful or beneficial purpose are hereby recognized and confirmed.

ARTICLE XVIII.—*Forestry.*

SECTION 1. The legislature shall enact laws to prevent the destruction of and to preserve the forests on the lands of the State, and upon any part of the public domain, the control of which may be conferred by Congress upon the State.

ARTICLE XIX.—*Public buildings and State institutions.*

SECTION 1. All institutions and other property of the Territory, upon the adoption of this constitution, shall become the institutions and property of the State of Utah.

SEC. 2. Reformatory and penal institutions, and those for the benefit of the insane, blind, deaf and dumb, and such other institutions as the public good may require, shall be established and supported by the State in such manner and under such boards of control as may be prescribed by law.

SEC. 3. The public institutions of the State are hereby permanently located at the places hereinafter named, each to have the lands specifically granted to it by the United States in the act of Congress approved July 16, 1894, to be disposed of and used in such manner as the legislature may provide:

First. The seat of government and the State fair at Salt Lake City; the State prison in the county of Salt Lake.

Second. The institutions for the deaf and dumb and the blind, and the State Reform School at Ogden City, in the county of Weber.

Third. The State Insane Asylum at Provo City, in the county of Utah.

ARTICLE XX.—*Public lands.*

SECTION 1. All lands of the State that have been or may hereafter be granted to the State by Congress, and all lands acquired by gift, grant, or devise, from any person or corporation, or that may otherwise be acquired, are hereby accepted, and declared to be the public lands of the State; and shall be held in trust for the people, to be disposed of as may be provided by law, for the respective purposes for which they have been or may be granted, donated, devised, or otherwise acquired.

ARTICLE XXI.—*Salaries.*

SECTION 1. All State, district, city, county, town, and school officers, excepting notaries public, boards of arbitration, court commissioners, justices of the peace, and constables, shall be paid fixed and definite salaries: *Provided*, That city justices may be paid by salary when so determined by the mayor and council of such cities.

SEC. 2. The legislature shall provide by law the fees which shall be collected by all officers within the State. Notaries public, boards of arbitration, court commissioners, justices of the peace, and constables paid by fees shall accept said fees as their full compensation. But all other State, district, county, city, town, and school officers shall be required by law to keep a true and correct account of all fees collected by them, and to pay the same into the proper treasury, and the officer whose duty it is to collect such fees shall be held responsible under his bond for the same.

ARTICLE XXII.—*Miscellaneous.*

SECTION 1. The legislature shall provide by law for the selection by each head of a family and exemption of a homestead which may consist of one or more parcels of lands, together with the appurtenances and improvements thereon, of the value of at least $1,500 from sale on execution.

SEC. 2. Real and personal estate of every female acquired before marriage, and all property to which she may afterwards become entitled by purchase, gift, grant, inheritance, or devise, shall be and remain the estate and property of such female, and shall not be liable for the debts, obligations, or engagements of her husband, and may be conveyed, devised, or bequeathed by her as if she were unmarried.

ARTICLE XXIII.—*Amendments.*

SECTION 1. Any amendment or amendments to this constitution may be proposed in either house of the legislature, and if two-thirds of all the members elected to each of the two houses shall vote in favor thereof, such proposed amendment or amendments shall be entered on their respective journals with the yeas and nays taken thereon; and the legislature shall cause the same to be published in at least one newspaper in every county of the State, where a newspaper is published, for two months immediately preceding the next general election, at which time the said amendment or amendments shall be submitted to the electors of the State for their approval or rejection, and if a majority of the electors voting thereon shall approve the same, such amendment or amendments shall become part of this constitution. If two or more amendments are proposed they shall be so submitted as to enable the electors to vote on each of them separately.

SEC. 2. Whenever two-thirds of the members elected to each branch of the legislature shall deem it necessary to call a convention to revise or amend this constitution, they shall recommend to the electors to vote at the next general election for or against a convention, and if a majority of all the electors voting at such election shall vote for a convention, the legislature at its next session shall provide by law for calling the same. The convention shall consist of not less than the number of members in both branches of the legislature.

SEC. 3. No constitution or amendments adopted by such convention shall have validity until submitted to and adopted by a majority of the electors of the State voting at the next general election.

ARTICLE XXIV.—*Schedule.*

SECTION 1. In order that no inconvenience may arise by reason of the change from a Territorial to a State government, it is hereby declared that all writs, actions, prosecutions, judgments, claims, and contracts, as well of individuals as of bodies corporate, both public and private, shall continue as if no change had taken place; and all processes which may issue, under the authority of the Territory of Utah, previous to its admission into the Union, shall be as valid as if issued in the name of the State of Utah.

SEC. 2. All laws of the Territory of Utah now in force, not repugnant to this constitution, shall remain in force until they expire by their own limitations or are altered or repealed by the legislature. The act of the governor and legislative assembly of the Territory of Utah, entitled "An act to punish polygamy and other kindred offenses," approved February 4, A. D. 1892, insofar as the same defines and imposes penalties for polygamy, is hereby declared to be in force in the State of Utah.

SEC. 3. Any person who, at the time of the admission of the State into the Union, may be confined under lawful commitment, or otherwise lawfully held to answer for alleged violation of any of the criminal laws of the Territory of Utah, shall continue to be so held or confined until discharged therefrom by the proper courts of the State.

SEC. 4. All fines, penalties, and forfeitures accruing to the Territory of Utah, or to the people of the United States in the Territory of Utah, shall inure to this State, and all debts, liabilities, and obligations of said Territory shall be valid against the State and enforced as may be provided by law.

SEC. 5. All recognizances heretofore taken or which may be taken before the change from a Territorial to a State government shall remain valid, and shall pass to and be prosecuted in the name of the State; and all bonds executed to the governor of the Territory or to any other officer or court in his or their official capacity, or to any official board for the benefit of the Territory of Utah, or the people thereof, shall pass to the governor or other officer, court, or board and his or their successors in office, for the uses therein, respectively expressed, and may be sued on and recovered accordingly. Assessed taxes and all revenue, property, real, personal, or mixed, and all judgments, bonds, specialties, choses in actions, claims and debts, of whatsoever description, and all records and public archives of the Territory of Utah shall issue and vest in the State of Utah, and may be sued for and recovered in the same manner and to the same extent by the State of Uath, as the same could have been by the Territory of Utah; and all fines, taxes, penalties, and forfeitures due or owing to any county, municipality, or school district therein, at the time the State shall be admitted into the Union, are hereby respectively assigned and transferred, and the same shall be payable to the county, municipality or school district, as the case may be, and payment thereof be enforced under the laws of the State.

SEC. 6. All criminal prosecutions and penal actions which may have arisen, or which may arise before the change from a Territorial to a State government, and which shall then be pending, shall be prosecuted to judgment and execution in the name of the State, and in the court having jurisdiction thereof. All offenses committed against the laws of the Territory of Utah, before the change from a Territorial to a State government, and which shall not have been prosecuted before such change, may be prosecuted in the name and by the authority of the State of Utah, with like effect as though such change had not taken place, and all penalties incurred shall remain the same as if this constitution had not been adopted.

SEC. 7. All actions, cases, proceedings, and matters pending in the supreme and district courts of the Territory of Utah at the time the State shall be admitted into the Union, and all files, records, and indictments relating thereto, except as otherwise provided herein, shall be appropriately transferred to the supreme and district courts of the States, respectively; and thereafter all such actions, matters, and cases shall be proceeded with in the proper State courts. All actions, cases, proceedings, and matters which shall be pending in the district courts of the Territory of Utah, at the time of the admission of the State into the Union, whereof the United States circuit or district courts might have had jurisdiction had there been a State government at the time of the commencement thereof, respectively, shall be transferred to the proper United States circuit and district courts, respectively; and all files, records, indictments, and proceedings relating thereto shall be transferred to said United States courts: *Provided*, That no civil actions, other than causes and proceedings of which the said United States courts shall have exclusive jurisdiction, shall be transferred to either of said United States courts except upon motion or petition by one of the parties thereto, made under and in accordance with the act or acts of the Congress of the United States, and such motion and petition not being made, all such cases shall be proceeded with in the proper State courts.

SEC. 8. Upon a change from Territorial to State government, the seal in use by the supreme court of the Territory of Utah, until otherwise provided by law, shall pass to and become the seal of the supreme court of the State, and the several district courts of the State may adopt seals for their respective courts, until otherwise provided by law.

SEC. 9. When the State is admitted into the Union, and the district courts in the respective districts are organized, the books, records, papers, and proceedings of the probate court in each county, and all causes and matters of administration pending therein, upon the expiration of the term of office of the probate judge on the second Monday in January, 1896, shall pass into the jurisdiction and possession of the district courts, which shall proceed to final judgment or decree, order, or other determination in the several matters and causes as the Territorial probate court might have done if this constitution had not been adopted; and until the expiration of the term of office of the probate judges such probate judges shall perform the duties now imposed upon them by the laws of the Territory. The district courts shall have appellate and revisory jurisdiction over the decisions of the probate courts, as now provided by law, until such latter courts expire by limitation.

SEC. 10. All officers, civil and military, now holding their offices and appointments in this Territory by authority of law, shall continue to hold and exercise their respective offices and appointments until superseded under this constitution: *Provided*, That the provisions of this section shall be subject to the provision of the act of Congress providing for the admission of the State of Utah, approved by the President of the United States on July 16, 1894.

SEC. 11. The election for the adoption or rejection of this constitution and for State officers herein provided for, shall be held on the Tuesday next after the first Monday in November, 1895, and shall be conducted according to the laws of the Territory and the provisions of the enabling act; the votes cast at said election shall be canvassed and returns made in the same manner as was provided for in the election for delegates to the constitutional convention: *Provided*, That all male citizens of the United States, over the age of 21 years, who have resided in this Territory for one year prior to such election, are hereby authorized to vote for or against the adoption of this constitution and for the State officers herein provided for. The returns of said election shall be made to the Utah Commission, who shall cause the same to be canvassed, and shall certify the result of the vote for or against the constitution to the President of the United States, in the manner required by the enabling act; and said Commission shall issue certificates of election to the persons elected to said offices severally, and shall make and file with the secretary of the Territory an abstract, certified to by them, of the number of votes cast for each person for each of said offices, and of the total number of votes cast in each county.

SEC. 12. The State officers to be voted for at the time of the adoption of this constitution shall be a governor, secretary of state, State auditor, State treasurer, attorney-general, superintendent of public instruction, members of the senate and house of representatives, three supreme judges, nine district judges, and a Representative to Congress.

SEC. 13. In case of a contest of election between candidates at the first general election under this constitution for judges of the district courts, the evidence shall be taken in the manner prescribed by the Territorial laws, and the testimony so taken shall be certified to the secretary of state, and said officer, together with the governor and the treasurer of the State, shall review the evidence and determine who is entitled to the certificate of election.

SEC. 14. This constitution shall be submitted, for adoption or rejection, to a vote of the qualified electors of the proposed State, at the general election to be held on the Tuesday next after the first Monday in November, A. D. 1895. At the said election the ballot shall be in the following form:

For the constitution. Yes. No.

As a heading to each of said ballots there shall be printed on each ballot the following instructions to voters:

All persons desiring to vote for the constitution must erase the word "No."

All persons desiring to vote against the constitution must erase the word "Yes."

SEC. 15. The legislature, at its first session, shall provide for the election of all officers whose election is not provided for elsewhere in this constitution, and fix the time for the commencement and duration of their terms.

SEC. 16. The provisions of this constitution shall be in force from the day on which the President of the United States shall issue his proclamation declaring the State of Utah admitted into the Union; and the terms of all officers elected at the first election under the provisions of this constitution shall commence on the first Monday next succeeding the issue of said proclamation unless otherwise provided therefor. Their terms of office shall expire when their successors are elected and qualified under this constitution.

Done in convention, at Salt Lake City, in the Territory of Utah, this eighth day of May, in the year of our Lord one thousand eight hundred and ninety-five, and of the Independence of the United States the one hundred and nineteenth year.

TO THE PEOPLE OF UTAH.

The convention assembled to frame a constitution for the proposed State of Utah, after two months of earnest effort, present the result of their labors for the consideration of the people of this Territory.

The ruling thought that actuated this convention, from opening to close, was that under the direction and mandates of the enabling act a constitution must be framed that would secure to the people of Utah a wise, just, and economical State government.

In this we believe we have succeeded, and we confidently submit to our fellow-citizens the fruit of our deliberations, knowing that they will bear in mind the impossibility of our presenting any instrument that would not contain imperfections, inasmuch as the more than one hundred delegates who constructed it came together understanding little of each other, all more or less influenced by local ideas and by impressions which the peculiar situation in this Territory for years past could not help but create and intensify. Nevertheless, it has been gratifying to note that there has probably been less partisan feeling and more unselfish unanimity of sentiment in this convention than in any other political body of like character.

The inspiration behind the Declaration of Rights came from the great parent Bill of Rights framed by the fathers of our country.

The article on the proposed educational system has absorbed the best thoughts and efforts of the convention and draws around the public schools such protection and defense as will secure for them, it is believed, the steady upward progress which is the enthusiastic desire of this people.

The legislative article, while permitting future lawmakers to perform any needed thing, circumscribes their powers in a way to prevent either extravagance or the misuse of legislative authority.

The executive article defines clearly the prerogatives and powers of the several State officers, places all necessary authority in the hands of the executive, and at the same time supplies all needed checks to prevent usurpation of power.

The judiciary article makes possible the conducting of the courts effectively by competent judges. It seeks to exalt the judiciary, and yet brings the system within a reasonable expenditure of the people's money. The probate system has been abolished, but power is given the legislature to restore it, if deemed necessary, or to adopt any other plan that may be wise or expedient.

The salaries of all officials have been marked down close to the danger line of extravagant economy.

We have provided to give equal suffrage to woman.

We have inhibited for all time polygamous or plural marriages.

We have placed within safe limits the maximum of future taxation.

We have guarded against the possibility of any future great indebtedness of the State.

We have provided for the full development of our manifold industries in such a way that in their expansion they will not feel any harsh friction from unjust laws.

We have provided for the correction of possible defects in the constitution, either by amendments or by the enactment of statutes.

We have guaranteed perfect liberty of speech, freedom to the press, and absolute freedom of conscience.

We recommend our work to the gracious and generous consideration of the men and women of Utah, believing they will esteem it a fitting foundation on which to rear the structure of a glorified State.

If with Statehood there will be a slight increase in taxes, the compensating advantages will cause that increased expense to be forgotten. We will be able to utilize the magnificent gift of over 7,000,000 acres of land from our generous Government; we will be able to secure capital for our mines; under the shield of Statehood thousands of people will seek homes in our climate, assist to develop our wondrous and varied resources, and rejoice in the manifold blessings bestowed by nature upon our highly favored Commonwealth.

When we reflect that this instrument will secure to us in its highest sense local self-government, with State officers of our own selection, and courts for the swift, capable, and economical administration of the laws by judges of the people's choosing; that it will give us a school system abreast of the foremost in the Union, with power to utilize the lands donated to our educational institutions; give us a voice in the election of Presidents; also two Senators and one Representative to present the claims of our new State in the Congress of the Nation; add the star of Utah to the hallowed ensign of the Republic; bestow upon us full sovereignty, with all that this term implies, and thus draw to us capital and population, and invest us with a dignity that can never attach to a Territorial condition, with steadily swelling confidence we submit this constitution to the consideration of the people of Utah, in the certain belief that they will, by an overwhelming majority, indorse and ratify our work.

ENFORCEMENT OF SPECIAL LAWS.

In all the reports heretofore submitted by this Commission it has been the custom to refer to the acts of Congress bearing upon the subject of polygamy and to give detailed statements, showing the manner of enforcing the same.

Up to 1890 plural marriages were permitted, or recognized as a part of the social system, by the dominant religious sect in the Territory. The act of 1862 provided for the punishment of such offenses by fine and imprisonment, but no convictions were had prior to 1878. In 1882 and 1887 additional laws were passed imposing further penalties, which operated largely as an electoral regulation. In 1890 the manifesto was promulgated, and at the next session of the legislative assembly (1892) an act was passed providing for the punishment of such offenses and specially conferring jurisdiction of such matters upon the district courts of the Territory.

The following shows the number and character of indictments relating to this subject returned in the several districts since November 1, 1890:

	Indictments.
Polygamy	3
Bigamy	1
Unlawful cohabitation	135
Incest	11
Adultery	174
Fornication	100
Violation of election laws	14

FINANCIAL STATEMENT 1894-95.

The following statement shows the appropriations and expenditures for the fiscal year ended June 30, 1895:

Compensation to the five Commissioners		$10,000.00
Contingent expenses		7,000.00
Compensation and expenses, officers of election		25,000.00
		42,000.00
Officers and expenses of election	$22,502.68	
Members of the Commission	10,000.00	
For clerical services	4,795.00	
Printing and stationery	1,451.92	
To canvassing boards	669.25	
Traveling expenses of Commission	427.20	
Telephone and sundry items	415.76	
Copying registration lists	379.43	
For fuel and lights	369.44	
For janitor	360.00	
Secretary	300.00	
Returned to the Treasury (unexpended)	329.32	
		42,000.00

POLITICAL REVIEW.

In 1872 the first attempt was made to organize political parties on national lines, but the effort only extended to the formation of committees, followed in the succeeding years by the holding of quadrennial conventions for the purpose of sending delegates to the national meetings.

In all local matters the people were divided into what were known as the "People's" and the "Liberal" organizations.

In 1882 a Democratic ticket was nominated for the legislature in several districts. Immediately following the Presidential election of 1884 a Democratic club was organized in Salt Lake and a journal of the same political belief was established.

In 1888 the Democrats placed a candidate in the field for Delegate to Congress, there being also one from the Liberal and another from the People's Party.

In 1890 another effort was made to secure a permanent division on party lines, and clubs were established by the Democrats in Ogden, Salt Lake City, and Provo City. The issuance of what is known as "the manifesto" rendering the old differences no longer possible the formation on national lines soon followed.

While this departure was reluctantly accepted by some, yet the assimilation of the masses on a political basis was rapidly proceeded with. In May, 1891, the Democratic organization launched an address to the people of the Territory setting forth the principles of the national party and calling upon all, regardless of past affiliations, to join in building up an organization under the name and in harmony with the ideas of that party.

One of the leading newspapers of the Territory was purchased and placed in charge of a veteran journalist, and this action generally was hailed with many congratulations by the national organization. Within a month from this date the People's Party, through its duly constituted agents and representatives, formally dissolved, leaving its members free to ally themselves to either of the great political parties according to individual preference.

On the 20th of May of the same year, pursuant to a call of a large number of leading Republicans, a meeting was held in Salt Lake City, at which a resolution favoring division on party lines was adopted and a committee appointed to organize that party throughout the Territory.

Notwithstanding the above movements, there were many in Salt Lake, Summit, and Weber counties who did not believe that the time had yet come for such action and insisted on the maintenance of the Liberal organization, and at the ensuing summer election there were three tickets in the field for members of the Territorial legislature. The total vote cast was about 28,000, of which the Republicans and Liberals each received 7,000 and the Democrats 14,000. The votes were so distributed, however, that the Republicans failed to elect a single member of either house, the Democrats carrying two-thirds and the Liberals one-third of each body.

Up to this time the question of statehood had not been agitated, it being tacitly conceded that until the complete dissolution of the Liberal party this question would not be seriously considered. With the view of continuing the Territorial form of government the leaders of the Democratic organization prepared a bill extending to the people of the Territory enlarged political powers and caused it to be introduced into both Houses of Congress early in 1892. Immediately after the Republicans caused an enabling act to be introduced in the same manner, and after elaborate hearings before committees of both Houses a favorable report was made upon the former, but the legislation proceeded no further.

At the national conventions held during the following summer both parties were represented by delegates from the Territory, and in both cases their seats were contested by claimants from the Liberal organization, the result being that in the national Republican convention both delegations were seated, each with a half vote, and in the Democratic

those known as the Divisionists were given seats, with a full vote. From that time on the political contest in Utah assumed the gravity of a national fight. Candidates were placed in the field for Congress by the three organizations, and after a spirited struggle the result showed a total vote of about 34,000, of which the Liberals received about 7,000, the Republicans 12,000, and the Democrats 15,000.

At the election held in the summer of 1893 for members of the Territorial legislature and minor county and municipal officers the three parties were again in the field, the Liberals, however, being confined to Salt Lake County, which cast about one-fourth of the vote of the Territory. In a total vote of over 33,000 the Democrats received about 16,000, Republicans 14,000, and the Liberals a little over 3,000, and in a total membership in the legislative assembly of 36 the Republicans elected 5 members of the council and 10 members of the house, the Democrats 5 in the council and 8 in the house, and the Liberals 2 in the council and 6 in the house.

In December, 1893, the Liberal party formally disbanded, and those elected to the legislature were left to affiliate with such parties as they might choose. A majority of them being Republicans, the complexion of the legislature was so determined.

At the close of 1893 the enabling act for the admission of Utah passed the House of Representatives, and in July, 1894, passed the Senate and was signed by the President. Under its provisions an election was called for November 6, 1894, to choose 107 delegates to a constitutional convention, at which time the biennial election for Delegate to the Fifty-fourth Congress was also held.

There were three parties in the field and the total vote cast was over 41,000, of which the Democrats received over 19,000, the Republicans over 21,000, and the Populists about 6,500. Of the 107 delegates seated in the convention 48 were Democrats and 59 Republicans, and upon the organization of that body party lines were strictly drawn.

Territory of Utah.—Votes for the years 1891, 1892, 1893, and 1894, as shown by the official returns made to the Utah Commission.

County, etc.	1891.			1892.					
	Territorial legislative assembly.			University land commissioners.			Delegate to Fifty-third Congress.		
	Democratic.	Republican.	Liberal.	Democratic.	Republican.	Liberal.	Democratic.	Republican.	Liberal.
Beaver	256	97	10	268	202	19	262	199	32
Boxelder	556	238	96	583	456	98	557	452	130
Cache	1,186	552	26	1,427	1,032	36	1,413	1,023	39
Carbon	.....	.....	.....	.....	.....	.....	.....	.....	.....
Davis	583	114	57	561	282	50	558	265	65
Emery	426	86	42	602	252	83	461	365	118
Garfield	107	109	.....	171	196	5	169	197	7
Grand	17	20	.....	11	77	22	13	77	27
Iron	184	103	.....	203	206	1	198	211	4
Juab	301	304	259	508	518	78	461	460	188
Kane	64	84	.....	71	150	.....	57	166	.....
Millard	249	204	.....	329	303	11	324	304	19
Morgan	152	93	11	157	145	7	160	131	19
Piute	249	83	.....	70	100	15	114	96	47
Rich	133	70	.....	146	72	18	145	73	18
San Juan	10	20	.....	16	12	.....	18	24	.....
Salt Lake County	988	614	656	961	868	596	929	940	696
Salt Lake City	2,670	363	3,770	2,409	1,407	3,584	2,416	1,630	3,337
Sanpete	683	583	141	1,010	976	10	977	966	59
Sevier	350	289	35	438	445	12	414	443	38
Summit	388	173	961	688	428	645	689	445	632
Tooele	264	122	96	274	319	72	250	291	96
Uintah	156	123	22	190	111	8	214	144	10
Utah	1,958	1,011	247	2,172	1,678	194	2,115	1,680	255
Wasatch	158	203	.....	291	225	.....	280	233	1
Washington	477	73	.....	434	75	.....	412	152	3
Wayne	.....	.....	.....	142	79	1	128	98	2
Weber	1,551	932	955	1,510	1,000	1,340	1,467	1,330	1,135
Total	14,116	6,613	7,386	15,242	11,61[illegible]	6,845	15,201	12,390	6,987
Salt Lake City:									
First precinct	551	77	742	495	262	744	475	341	664
Second precinct	639	82	1,365	583	329	1,296	595	407	1,193
Third precinct	661	67	349	592	297	306	587	269	350
Fourth precinct	457	63	373	418	230	323	411	248	301
Fifth precinct	362	74	941	321	289	915	348	365	809
Total	2,670	363	3,770	2,409	1,407	3,584	2,416	1,630	3,337

Territory of Utah.—Votes for the years 1891, 1892, 1893, and 1894, as shown by the official returns made to the Utah Commission—Continued.

County, etc.	1893.			1894.					
	Territorial legislative assembly.			Territorial registration and vote.		University land commissioners.			
	Democratic.	Republican.	Liberal.	Registered.	Voted.	Democratic.	Republican.	Populist.	Scattering.
Beaver	294	194	.....	837	704	299	405	.....	.....
Boxelder	542	516	.....	1,681	1,424	708	708	.....	8
Cache	1,463	1,045	.....	3,199	2,880	1,612	1,236	.....	32
Carbon	.....	.....	.....	565	470	193	277	.....	.....
Davis	480	359	.....	1,326	1,118	622	492	.....	4
Emery	368	379	.....	762	636	367	269	.....	.....
Garfield	193	178	.....	608	503	238	265	.....	.....
Grand	23	107	.....	253	192	81	111	.....	.....
Iron	198	208	.....	614	527	249	278	.....	.....
Juab	514	520	.....	1,504	1,271	564	707	.....	.....
Kane	85	113	.....	329	263	93	169	.....	1
Millard	330	341	.....	1,020	850	377	473	.....	.....
Morgan	156	154	.....	417	372	191	181	.....	.....
Piute	105	113	.....	347	302	131	169	.....	2
Rich	149	100	.....	324	301	162	138	.....	1
San Juan	25	15	.....	149	108	75	30	.....	3
Salt Lake County	1,081	1,071	.....	3,870	3,283	1,333	1,914	32	4
Salt Lake City	2,980	1,573	3,337	9,768	8,019	3,215	4,442	336	26
Sanpete	1,076	1,060	.....	3,137	2,798	1,359	1,435	.....	4
Sevier	403	483	.....	1,408	1,189	514	675	.....	.....
Summit	636	939	.....	2,184	1,922	737	1,125	60	.....
Tooele	236	335	.....	1,015	854	335	515	2	2
Uintah	257	92	.....	704	473	314	156	.....	3
Utah	2,075	1,943	.....	5,806	5,198	2,620	2,571	2	5
Wasatch	270	291	.....	832	769	434	335	.....	.....
Washington	418	106	.....	812	668	488	178	.....	2
Wayne	132	35	.....	343	281	160	121	.....	.....
Weber	1,738	1,951	.....	5,020	4,176	1,844	2,038	268	26
Total	16,227	14,221	3,337	48,834	41,551	19,315	21,413	700	123
Salt Lake City:									
First precinct	647	350	795	2,119	1,764	658	1,018	80	8
Second precinct	677	425	1,136	2,804	2,225	862	1,241	119	3
Third precinct	772	258	338	1,701	1,430	665	709	50	6
Fourth precinct	510	253	277	1,317	1,144	554	548	41	1
Fifth precinct	374	287	791	1,827	1,456	476	926	46	8
Total	2,980	1,573	3,337	9,768	8,019	3,215	4,442	336	26

Territory of Utah.—Votes for the years 1891, 1892, 1893, and 1894, as shown by the official returns made to the Utah Commission—Continued.

County, etc.	1894.									
	Delegate to Fifty-fourth Congress.				Constitutional registration and vote.		Delegates to convention to form a constitution for proposed State of Utah.			
	Democratic.	Republican	Populist.	Scattering.	Registered.	Voted.	Democratic.	Republican	Populist.	Scattering.
Beaver	302	400	.....	2	781	685	288	389	.....	8
Boxelder	712	704	.....	8	1,580	1,396	702	686	.....	8
Cache	1,628	1,217	.....	35	2,967	2,833	1,606	1,226	.....	1
Carbon	195	275	.....	.....	557	462	198	263	.....	1
Davis	626	484	7	1	1,232	1,097	621	473	.....	3
Emery	375	261	.....	.....	747	624	369	255	.....	.....
Garfield	238	265	.....	.....	603	500	235	265	.....	.....
Grand	72	120	.....	.....	222	178	79	99	.....	.....
Iron	245	282	.....	.....	578	514	247	265	.....	2
Juab	582	688	.....	1	1,403	1,232	547	685	.....	.....
Kane	85	177	.....	1	325	265	97	168	.....	.....
Millard	380	466	1	3	960	835	381	454	.....	.....
Morgan	189	183	.....	.....	405	369	192	177	.....	.....
Piute	131	169	.....	2	339	299	122	176	.....	1
Rich	168	133	.....	.....	329	310	170	140	.....	.....
San Juan	84	22	.....	2	137	107	45	85	27	.....
Salt Lake County	1,343	1,910	26	4	3,530	3,248	1,370	1,878	.....	.....
Salt Lake City	3,360	4,354	277	28	9,051	7,815	3,265	4,186	288	76
Sanpete	1,370	1,420	5	3	2,951	2,776	1,356	1,412	.....	8
Sevier	516	672	.....	1	1,325	1,170	508	662	.....	.....
Summit	774	1,108	40	.....	2,073	1,855	721	1,120	14	.....
Tooele	336	514	2	2	996	844	383	460	.....	1
Uintah	325	143	.....	5	646	462	317	142	.....	3
Utah	2,642	2,539	9	8	5,464	5,186	2,632	2,551	.....	3
Wasatch	437	332	.....	.....	830	773	455	317	.....	1
Washington	483	183	.....	2	778	675	495	179	.....	1
Wayne	158	123	.....	.....	331	276	170	106	.....	.....
Weber	1,768	2,199	183	26	4,484	3,998	1,867	1,886	229	16
Total	19,523	21,343	550	134	45,624	40,784	19,438	20,655	558	133
Salt Lake City:										
First precinct	700	994	59	11	1,960	1,723	692	948	71	12
Second precinct	883	1,239	97	6	2,620	2,169	846	1,200	101	22
Third precinct	706	678	40	6	1,581	1,402	684	662	42	14
Fourth precinct	568	536	38	2	1,219	1,117	550	524	36	7
Fifth precinct	503	907	43	3	1,671	1,404	493	852	38	21
Total	3,360	4,354	277	28	9,051	7,815	3,265	4,186	288	76

THE UTAH COMMISSION.

In compliance with the act of Congress of March 22, 1882, the Board of Registration and Election, known as the Utah Commission, was appointed, and on July 17, 1882, it was duly organized. Ever since said date the conduct of elections in the Territory has been under its control and direction.

Since the creation of the Board the following-named persons have served as members, to wit:

Alex. Ramsey, of Minnesota, appointed June 23, 1882, resigned April 16, 1886.

A. B. Carlton, of Indiana, appointed June 23, 1882, resigned May 10, 1889.

A. S. Paddock, of Nebraska, appointed June 23, 1882, resigned December 20, 1886.

G. L. Godfrey, of Iowa, appointed June 23, 1882, resigned April 25, 1894.

J. R. Pettigrew, of Arkansas, appointed June 23, 1882, died October 17, 1886.

J. A. McClernand, of Illinois, appointed April 16, 1886, resigned April 25, 1894.

A. B. Williams, of Arkansas, appointed October 25, 1886, resigned April 25, 1894.

A. L. Thomas, of Pennsylvania, appointed December 20, 1886, resigned May 10, 1889.

R. S. Robertson, of Indiana, appointed May 10, 1889, resigned April 25, 1894.

Alvin Saunders, of Nebraska, appointed May 10, 1889, resigned June 6, 1893.

H. C. Lett, of Utah, appointed June 6, 1893, died March 27, 1894.

March 3, 1893, a further act of Congress was approved, pursuant to which all members of the Board thereafter appointed were required to be residents of the Territory.

April 25, 1894, the remaining members of the Commission having tendered their resignations, the following-named persons were nominated by the President and immediately confirmed by the Senate, to wit: Jerrold R. Letcher, Erasmus W. Tatlock, Albert G. Norrell, Hoyt Sherman, jr., and George W. Thatcher. After having duly qualified as required by law the new Board entered upon the discharge of its duties on April 27, 1894, Jerrold R. Letcher, one of the members from Salt Lake, being selected as chairman.

Since its first establishment repeated efforts have been made to secure the abolition of the Board, either by direct legislation or by a reduction of the appropriations for its maintenance and for the efficient carrying out of the work intended. The last attempt was an effort in this direction—to cut off the salaries of the members—during the closing hours of the Fifty-third Congress. February 28, 1895, during the consideration of the general appropriation bill, the following proceedings were had under this branch of the subject.

The debate as reported in the Record is as follows:

Mr. COCKRELL. I now ask the Senate to return to the clause beginning in line 16, on page 65, in relation to the Utah Commissioners, to which the Senator from Idaho, [Mr. Dubois] desired to offer an amendment.

Mr. DUBOIS. On page 65 I move to strike out all after line 15, down to and including line 7 on page 66, and to insert what I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to strike out the clause from line 15 on page 65 to line 7 on page 66, inclusive, as follows:

"For the salaries of the five Commissioners appointed under an act entitled 'An act to amend section 5352 of the Revised Statutes of the United States in reference to bigamy, and for other purposes,' approved March 22, 1882, at the rate of $2,000 each per annum, $5,000: *Provided*, That Commissioners hereafter appointed shall be residents of the Territory of Utah.

"For the following expenses of the Commission, namely: For traveling expenses, printing, stationery, clerk hire, and office rent, $3,500: *Provided*, That out of this sum the Commission is hereby authorized to pay the secretary of the Territory, who is its secretary and distributing agent, a reasonable sum for such service, not exceeding at the rate of $300 per annum, for the fiscal year 1896."

And insert:

"That the duties now performed by the election board, created by the ninth section of the act of Congress entitled 'An act to amend section 5352 of the Revised Statutes of the United States, relating to bigamy and polygamy, and for other purposes,' approved March 22, 1882, shall hereafter be performed under the provisions of sections 238 to 282, inclusive, of the compiled laws of Utah, 1888, and acts amendatory and supplementary thereto: *Provided*, The qualifications of voters and officeholders shall remain as now, or as may be prescribed hereafter, by the laws of Congress."

Mr. FAULKNER. Mr. President, I raise the point of order on the amendment of the Senator from Idaho that it changes existing law, that it has been reported by no committee, and that it is general legislation.

Mr. DUBOIS. I should like to be permitted to make a brief statement before the Senator raises the point of order. I wish the Senator would withdraw his point of order for a moment.

Mr. FAULKNER. Of course, if the Senator desires to make an explanation I withdraw the point of order until he can do so.

The VICE-PRESIDENT. The point of order is withdrawn, and the Chair recognizes the Senator from Idaho.

Mr. DUBOIS. Mr. President, I trust the point of order will not be raised on the amendment. The time has gone by when it is necessary for the Government to provide any money to carry on the elections in Utah or to send officers there to superintend and supervise elections. We have recognized the fact that the object for which the law creating the Commission was enacted has passed away. Utah is not what it was when this legislation was enacted; polygamy has been abandoned, and we are all so well satisfied that those citizens are as good as any others in this country that we have passed a bill admitting Utah to statehood. I am glad to say that I stood fast and firm at all times, after conditions changed in Utah, for the admission of that Territory. Let us wipe out these reminders of the bitterness and strife of the past.

The laws of Utah in the sections which are mentioned in the amendment are sufficient to safeguard the elections there, and it is not fair that a board created under different circumstances should now, as that Territory is coming into the Union, supervise its first election.

I have a telegram here from leading citizens of that State, men who have been bitterly opposed to the Mormon people for years, and from Mormons, including Judge C. S. Zane, Judge C. C. Goodwin, John Henry Smith, and Governor Thomas, saying that this Commission should be abolished. It is a thorn in their sides now; nobody wants it; there is no necessity for it; and that Territory can come into the Union under its own laws.

I do not think, under the circumstances, after this Congress has passed a bill for the admission of Utah, that a point of order should be raised which will fasten and keep it under this Commission.

I ought not to say more, Mr. President, for time is precious, and we should avoid an extra session, if possible. The people of our section who are honest and manly know that the people of Utah will be a credit to the Union, and they desire the abolishment of this Commission, in order that those people may manage their own political affairs and elections.

Mr. FAULKNER. Mr. President, in reply to the Senator from Idaho, I am delighted to say to the Senate, and I think it will be in accordance with their views, that the Commission now in power there is composed entirely of residents of the Territory of Utah. I have been very anxious, of course, to see Utah made a State, and I am proud to say that, under my chairmanship of the Committee on Territories, that Territory has been authorized to hold an election for that purpose, which will ultimately, within a few months, bring it into the sisterhood of States.

The amendment of the Senator from Idaho is such an amendment that it is impossible for anyone to tell what will be its effect. It has not been examined by any committee. The amendment provides that the election in Utah shall be held under laws which I doubt whether any Senator on this floor knows are to-day in existence, or whether they are repealed, or whether they are such laws as he would approve of. That shows the necessity of the rule of the Senate, that unless an amendment which changes existing law is examined by a standing committee of the body it shall not be in order, although it may not be general legislation. I therefore make the point of order on the amendment.

Mr. WHITE. Mr. President, I desire to have stated to the Senate the amendment proposed by the Senator from Idaho. I have not heard the amendment.

The VICE-PRESIDENT. The amendment will be stated.

The Secretary read the amendment proposed by Mr. Dubois.

Mr. WHITE. Mr. President, I have not investigated the statutes referred to in the amendment offered by the Senator from Idaho. I will state that I have been in favor ever since I have reached this body of the admission of Utah to statehood. I will also state that I have never had the slightest sympathy with those parties who have in the Congress of the United States attempted to prevent the admission of that Territory to statehood upon the theory that its morals were not as good as those of the gentlemen objecting. I have thought that that question is one which the parties demurring could not afford judiciously to raise. In so far as this particular amendment is concerned, I do not know that it has any material application to the question of statehood. I think if the Commissioners referred to in the bill perform their duties as the law intends they shall preform them that probably it will rather facilitate than interfere with the admission of Utah to statehood.

I do not understand further than from the remarks of the Senator from Idaho, and as I have no antecedent familiarity with the amendment he proposes, that there is any difficulty in carrying out the full provisions of the bill regarding admission, even if these Commissioners are permitted to pursue their course until the State assumes its full sovereignty, and I believe that in this Congress Utah for the first

time has had an opportunity to assume statehood. I might remark that I am in favor of statehood for all of our Territories. I think the time has come when we should have nothing but States within the United States.

Mr. DUBOIS. Mr. President, I desire only to add to what I have already said that the sections mentioned in the amendment are the election laws of Utah, which are entirely adequate and are satisfactory to the people there. There is no need for the Board of Commissioners which is now in existence; it is an interference, and it does harm.

Mr. WHITE. Will the Senator permit me to ask him a question?

Mr. DUBOIS. Certainly.

Mr. WHITE. As we are passing from the condition of things which I equally with the Senator believe that we should depart from, is it not better to let the other side down moderately than to do anything that may result in a severe fall? Had we not better let Utah join the Union, and if commissions heretofore appointed are unwisely created let us pay those who have performed the labor allotted to them by Congress the just measure of their exertions, but I deem it undesirable to interfere with those against whom no local protestation has been made.

Mr. DUBOIS. Utah will be admitted no matter whether these Commissioners are there or whether the people of that Territory are left to themselves.

No man in Utah wants this Commission now, and when we propose to retain it we are not legislating in the interests of the people of Utah. The time has passed for it. It stands now as a reminder of bitter contests of the past, which we who took part in them have buried. We are looking to the present and future and not to the past. My amendment can be ruled out on a point of order. I am aware of that. I beg again that the Senate will be allowed to vote on my amendment. I know it will carry. Senators here will recall the strong position which I took in former years in favor of stringent laws for Utah. I was right then, and I am equally right now in insisting that conditions have changed completely and that the people of Utah shall be allowed to manage their own elections, the same as the people of other States are.

Mr. FAULKNER. I desire to say in reply to the Senator from Idaho that I have never heard any complaint during the last twelve months in reference to this Commission, and certainly no request has come to the Committee on Territories in reference to this subject, and the provisions of the enabling act are made in reference to the action of this Commission, which ought not now be changed without consideration.

I insist that under the point of order this subject is not debatable.

Mr. MANDERSON. As the Senator is debating it to some extent, notwithstanding the rule, I should like to ask him a question. He claims to a certain extent the paternity of the State of Utah. I should like to ask him when that State will probably be born into the Union?

Mr. FAULKNER. I think it will be born into the Union somewhere from about the 20th to the 30th of next November. The vote on the ratification of the constitution framed by the convention which meets in March is to be taken under the enabling act on the second Tuesday of November, and if that vote is in favor of adoption of the constitution, and it is republican in form, and so certified to the President, within twenty or thirty days thereafter he will issue his proclamation for the admission of the State, and the legislature will be elected at the same time.

Mr. MANDERSON. Then Utah will cease to be a Territory during the present fiscal year, and the sooner it becomes a State the better. I think we shall all be pleased, on both sides of the Chamber, for I do not think the other side can claim the monopoly of a desire to make Territories into States.

The record on this side of the Chamber is pretty clear in that regard, as these full seats evidence; but it seems to me that if Utah is to cease to be a Territory and become a State, probably before the 30th day of November, there should be a limit to the life of the Commission.

Mr. COCKRELL. It is limited in every word. It is only at a certain rate. Whenever the State comes in the Commission goes out of existence.

Mr. CULLOM. The Commission ceases.

Mr. MANDERSON. I fear that is not fully guarded by the provision.

Mr. COCKRELL. Every line contains the words "at any rate." It is not like the others.

Mr. MANDERSON. If that is well understood I have no objection, but I hope it has been very fully guarded.

The VICE-PRESIDENT. The Chair sustains the point of order.

As to whether the existence of such a Board, with the powers heretofore exercised, was ever necessary, or for the best interests of the Territory, is a question which need not now be considered. It has been the practice of the several Administrations to make such changes from time to time in the personnel of the Board as would conform it politi-

cally to the party in power. No limitation has ever been placed upon this custom, but it did not result in all cases as seems to have been intended.

While the attempted change above referred to was not successful, it had the effect to divert the usual appropriation made for the conduct of the elections in the Territory, and this coming, as it did, at a time when both increased expense and work incident to the holding of a Territorial-State election must be incurred, will create an unnecessary hardship upon the people, who should not now be deprived of any benefits or have the efficiency of the election machinery impaired.

THE WORK FOR 1895-96.

The Commission has already taken steps preparatory to the registration of the qualified electors of the Territory under the provisions of the existing laws, including the enabling act and the constitution of the proposed State.

This work is well in hand, and notwithstanding the lack of funds to defray the usual expenses incident thereto, it is believed that it will be efficiently and satisfactorily performed. The Board will have occasion to submit a supplemental report as circumstances may indicate to be necessary.

JERROLD R. LETCHER.
ERASMUS W. TATLOCK.
ALBERT G. NORRELL.
HOYT SHERMAN, Jr.
GEORGE W. THATCHER.

Hon. HOKE SMITH,
Secretary of the Interior, Washington, D. C.

ANNUAL REPORT

ON THE

CONDITION OF THE COAL MINES IN THE INDIAN TERRITORY.

SOUTH MCALESTER, IND. T.,
June 30, 1895.

SIR: In accordance with the requirements of the act of Congress of March 3, 1891, entitled "An act for the protection of the lives of miners in the Territories," I have the honor to submit to you the second annual report upon the condition of the coal mines in the Indian Territory, for the year ending June 30, 1895.

Very respectfully, yours,

L. W. BRYAN,
Mine Inspector for the Indian Territory.

Hon. HOKE SMITH,
Secretary of the Interior, Washington, D. C.

The various coal mines in this Territory are operated under leases from individuals holding claims as citizens of one of the Five Civilized Tribes, the royalty payable to the nation in which these mines are located being one-half of a cent per bushel, and the usual payment to the individual citizen holding claim being one-quarter of a cent per bushel.

The principal coal field of the Indian Territory now being operated is comprised within a strip of land in the Choctaw and Chickasaw Nations, about 125 miles in length, and from 6 to 15 miles wide, commencing at the east line of the Territory, at or near the tunnel north of Jenson, on the St. Louis and San Francisco Railway, and at mile post No. 34, on the State line between Arkansas and the Indian Territory. This strip has a general direction of S. 60° W., the north crop crossing the Missouri, Kansas and Texas Railway at McAlester, the south crop crossing the same railway near Kiowa; thence extending through Coalgate and Lehigh, in the direction named, the exact termination of the coal that can be profitably worked being somewhat uncertain. The coal crops on the north and south of the strip described, and running irregularly nearly through the center of the strip are ridges and mountains, indicating an upheaval, which elevation the coal follows. For the greater part of the highest points the coal disappears, leaving a gap through the center of this strip, under which for the most part there is no coal found. A notable exception to this, however, can be found at Cavanal Mountain, where excellent coal is found about one-third of the way up the mountain. At the eastern end of this strip

and at the Arkansas State line the coal is semianthracite in its character, containing from 70 to 80 per cent of fixed carbon. Proceeding westward the coal becomes more bituminous, and in the neighborhood of the Missouri, Kansas and Texas Railway at McAlester, and the Choctaw, Oklahoma and Gulf Railway at Wilburton, the coal becomes a true bituminous coal, with from 50 to 55 per cent of fixed carbon, and is rich in bitumen, volatile hydrocarbons, and doubtless rich hydrocarbons of the olefin and paraffin series. At an intermediate point between the Arkansas State line and the Missouri, Kansas and Texas Railway, for instance at Bryan and Braidwood, the coal is semibituminous, containing more fixed carbon than the McAlester or Hartshorne coal, but does not stand handling or transportation as well. Proceeding southwest from McAlester the coal deteriorates in quality, the Lehigh and Coalgate coal being inferior to the McAlester and Hartshorne veins. At the eastern end of the strip described the coal is noted for its excellent steaming qualities; proceeding westward and as the coal becomes bituminous, it is noted for its excellent quality for domestic purposes as well as for its coking qualities.

At the western end of the strip described the coal appears to deteriorate more rapidly, and while the vein is of good thickness and apparently of good quality, yet it is so badly stratified with slate, mixed with pyrites of iron (commonly known as sulphur), and disintegrates so rapidly on exposure as to render it unprofitable to work. This has been exemplified at Ardmore, where operations were extensively commenced and much capital invested in machinery, etc., but it has been found impracticable and unprofitable to work, and the field abandoned.

The mines now being operated or in existence in the strip described are as follows, commencing at the eastern end and proceeding westward:

1. *The mine of W. O. Hartshorne, at Pocola.*—This mine consists of two slopes driven into the crop of the coal, about 150 feet in depth, workd by horse power. This is a very small enterprise, the coal being hauled to Fort Smith, 13 miles distant, by teams, and sold locally. The vein at this point is 3 feet 10 inches in thickness, with a dip to the northwest of about 10 degrees. It has a parting of slate of about 1 inch in thickness.

2. The Kansas and Texas Coal Company has commenced operations at a point 2 miles east of Pocola, only preliminary work so far having been done. Vein is 3 feet 11 inches thick, with a dip of 10 degrees to the north.

3. A number of small strip pits are in operation for local use about 3 miles southeast of Bokosho post-office.

4. The Kansas and Texas Coal Company has commenced sinking a slope about 6 miles west of Jenson, a mile and a half west of the St. Louis and San Francisco Railway. This vein is 3 feet 6 inches in thickness, dipping about 12 degrees toward the southeast. The slope is driven in about 150 feet. Air and escapement shafts are commenced.

5. At Cavanal a drift has been made in a 3½-foot vein of coal, but has not been operated further. Coal is of fair quality.

6. *Cavanal Coal and Mining Company's mine, at Poteau, Ind. T.*—This mine, on the Cavanal Mountain, is at present idle. Owing to litigation the business is now in the hands of a receiver, who has not yet decided as to its future operations. Since my last report a large amount of work has been done and capital expended in developing this mine; a railroad track has been built from Poteau station, on the St. Louis and San Francisco Railway, up to the mouth of the first drift opened,

which drift has since been abandoned and a new drift opened further up the mountain, at which point a new slope has been sunk about 400 feet, the mouth of slope being 1,200 feet distant and at an elevation of 135 feet above the level of the end of the new track, which necessitates an inclined plane to lower the coal to the track, which inclined plane had been partially constructed when the work was suspended. The railroad track is about 3½ miles in length, winding around the mountain and reaching an elevation of about 300 feet above the main line of the St. Louis and San Francisco Railway. The entries at the first lift of this new slope have been commenced; air courses, also to be used for means of ingress and egress, have been driven parallel with the slope. Considerable coal has been shipped from the first drift opened, and some from the new drift, as will be shown in the statistics. An air shaft has been sunk from an elevation above the coal of about 30 feet, which has furnished sufficient air while developing the mine. The vein of coal at the lower or first opening was about 4½ feet in thickness and badly stratified with slate. The vein recently opened is 4 feet thick, of excellent quality, with good roof. The vein dips about 10 degrees toward the center of the mountain.

7. At Bryan the mine which had been commenced still remains idle.

8. *The Kansas and Texas Coal Company's mine, at Pocahontas, Ind T.*—This mine (formerly known as "Braidwood mine") had remained idle and was filled with water from July, 1893, to December, 1894, when operations were resumed. An entirely new equipment was provided. The slope in this mine is 700 feet in depth, driven in the lower vein of coal, the slope having been changed from the upper vein. This lower vein is 4 feet thick, with a dip of 35 degrees toward the northwest. Hoisting engines are first-motion, double engines, with 12 by 20 inch cylinders and 5 foot drum, being supplied with steam by four boilers, two of these being cylinder boilers and two flue boilers. The slope has a double track with self-dumping cars, railroad and hopper scales, and the latest improved shaker screens. This mine is ventilated by two fans, viz, a 20-foot fan on east side of slope and a 12-foot fan on west side, the two fans having a capacity of 75,000 cubic feet of air per minute, or 18,750 feet per 50 men per minute. Ingress and egress have been had by the new and old slopes and also by the fan shaft. Additional escapement by manway is at this writing about completed, which effects compliance with the law. This mine having so long remained idle and having filled with water, a large amount of preparatory work was necessary for resumption, and has only recently been put in working order. The capacity of this mine is 400 tons per day.

This mine gives out considerable fire damp or carbureted hydrogen (CH_4), but, as will be noticed, ample provision has been made in the ventilation to dilute and render the same harmless. In addition to the abundant ventilation, precaution is also taken by the employment of a competent and careful fire boss or gas man, who thoroughly inspects all the working faces with safety lamps before the men enter the mine for work, and indicates by marks the condition of each working face. In case gas or fire damp is found in a working place, it is either removed or "dead lined."

Mr. William Egley, whom I have known long and favorably, is both competent and careful. He has cheerfully adopted any suggestion made with a view to increase the safety of the men and is anxious to comply with the law.

9. At Fanshawe, on the Choctaw, Oklahoma and Gulf Railway, strip pits have been opened up and coal taken out for local use. The

vein at this point is 2 feet 6 inches thick, with an inclination of about 25 degrees toward the north.

10. At Wilburton, on the Choctaw, Oklahoma and Gulf Railway, a shaft has been partially sunk, but has not been completed.

11. A small quantity of coal has been taken out from strip pits at Wilburton, on the Choctaw, Oklahoma and Gulf Railway. Vein is 4 feet 6 inches thick, with a dip of about 25 degrees toward the northwest.

12. About a mile and a half east of Wilburton a slope has been commenced, but no coal has yet been taken out to any amount. This mine is operated by the McAlester Coal and Mineral Company. The slope is sunk 90 yards, with one lift. Product is hauled to the Choctaw, Oklahoma and Gulf Railway. The coal is of excellent quality, clean, hard, and stands transportation well; it is also a good coking coal. The vein is from 4½ to 5 feet in thickness.

13. *Hartshorne mine No. 1.*—This mine is operated by the Choctaw, Oklahoma and Gulf Railway Company. The shaft of this mine is 201 feet deep. It has a capacity of 1,200 to 1,400 tons per day, being the largest and most productive mine in the Indian Territory. It has a north and south entry, each entry being over 3,000 feet in length. It has a plane from near the foot of the shaft to the crop of the coal from which four lifts are operated. A slope has been driven down the dip from near the shaft from which slope three lifts are operated. It has a second plane driven from the north entry about 1,500 feet from the foot of the shaft from which three lifts are operated. It has a third plane from the south entry about 3,000 feet from the foot of the shaft, which is driven, and will break through at a strip pit at the crop of the coal, which will give them five additional lifts. The shaft is equipped with first-motion, double-hoisting engines, 16 by 32 inch cylinder and 8-foot drum. The first-mentioned plane has a pair of geared, double-hoisting engines to lower coal to foot of shaft. A pair of first-motion engines, 16 by 32 inch cylinders and 8-foot drum, are set about 300 feet from top of shaft at a drill hole, through which a rope passes down slope for hauling coal to north entry, where it is dropped to foot of shaft. At a drill hole some 1,800 feet from main shaft are a pair of geared hoisting engines, which by a rope passing down a drill hole delivers the coal along the second-mentioned plane to north entry, whence it is taken by mules to the foot of the shaft. There is one pump at foot of slope which forces water to foot of shaft, whence it is thrown to the surface by a large pump. Steam is supplied by a battery of six boilers, and is conducted direct to the pumps by the main shaft and by a drill hole nearly over face of slope, obviating the necessity and discomfort of having hot steam pipes along the entries, the hoisting machinery all being at the surface. Credit is due to the engineer, Mr. Jackson, for the accurate surveys made in this mine, and in locating the drill holes, etc., heretofore mentioned. Safety catches in this mine are of the very best pattern, improvements having been made during the past year that render these catches superior in their efficacy. Cages are self-dumping and provided with overhead covers for the protection of men. A Guibal fan, with a capacity of 65,000 feet of air per minute, is operated at the upcast, which is the plane first mentioned, the hoisting shaft being used as the downcast, in which shaft there is a division, at which division a 10-foot fan is placed to aid in forcing the current. At the present rate of speed the amount of air furnished is about 70,000 cubic feet per minute, or an average of about 7,000 feet per 50 men per minute. This amount can be increased when necessary to meet the requirements

of the mine as it is extended, and is ample for the requirements of the law at all times. The hoisting shaft and the plane first mentioned furnish the necessary escapements for men, and all traveling ways are kept in excellent condition. The thickness of the vein of coal varies considerably in this mine, averaging a little over 4 feet. This mine is a wet mine, but as the coal is rich in volatile hydrocarbons, it is considered prudent to have special shot firers in the north side of mine. The other parts of the mine are so constantly wet that no danger from coal dust can be apprehended.

14. *Hartshorne Mine No. 2.*—This mine is located at Gowen, about 3 miles north of Hartshorne, on the Choctaw, Oklahoma and Gulf Railway, and is operated by the Choctaw, Oklahoma and Gulf Railway Company. The shaft of this mine is 176 feet deep. It has a capacity of 500 tons per day. It has a plane to the crop 1,700 feet in length, with five lifts. Cages are self-dumping, with approved safety catches and overhead covers for the protection of men. Gates are provided to the lower landings. First-motion, double-hoisting engines, with 16 by 32 inch cylinders and 8-foot drum, are used. There is a 12-foot fan at plane and a 10-foot fan at division of hoisting shaft, the hoisting shaft being used as the down cast and the plane as the upcast, and the quantity of air supplied is nearly 30,000 cubic feet per minute, or nearly 10,000 feet per 50 men per minute. Harrison mining machines are successfully used in this mine and add to the quantity of fresh air forced into the mine. While this mine produces bituminous coal rich in the volatile hydro carbons, yet the mine is so constantly and naturally wet as to preclude the possibility of explosions from coal dust.

Capt. A. B. Frazier, assistant superintendent of Hartshorne mines Nos. 1 and 2, and who is a thoroughly competent and practical miner, is always anxious to introduce improvements decreasing the hazards incident to mining and is zealous in his efforts to render the mines in his charge as safe as possible.

15. There are some strip pits at Hartshorne, operated by the Choctaw, Oklahoma and Gulf Company and by Mr. John Grady, the product of which is hauled by teams to the railroad and shipped to market.

16. There are also some strip pits and drift pits operated by the Choctaw, Oklahoma and Gulf Company, west of Hartshorne and about 1 mile east of Alderson, the product of which is hauled to the Choctaw, Oklahoma and Gulf Railway at Alderson and shipped from that point.

17. *Alderson mine.*—This mine is operated by the Choctaw, Oklahoma and Gulf Railway Company. It has a slope 2,400 feet in length with eight lifts, having a capacity of about 800 tons per day and employing about 300 men. First-motion, double engines, with 16 by 30 inch cylinders and 8-foot drum, are used for hoisting, which are provided with steam by a battery of four boilers, which also furnish steam for the pumps, fans, and other machinery. An 18-foot fan at the head of the ventilating shaft furnishes the necessary ventilation, the quantity of air supplied being 45,000 feet per minute, or about 7,500 cubic feet per 50 men per minute. Escapement ways for men are furnished by manway and well-kept traveling ways, and the air courses are kept in excellent condition. A new slope is now being driven from the third west entry to the crop of coal, which when through will be thoroughly equipped with machinery and afford additional facilities for ingress and egress. I take special pleasure in testifying to the excellent condition in which this mine is kept by Mr. C. Stumbaugh, its superintendent. No pains are spared to render this mine safe.

18. *Alderson slope and strip pits, operated by* Mr. Noah Samples.—At this point there is a slope of about 300 feet in length, with one

lift. It is ventilated by a stack and furnace and has shaft for ingress and egress. Coal is hoisted by a single engine with one boiler. Coal is hauled with teams to the Missouri, Kansas and Texas Railway at Krebs and loaded there for shipment. Some stripping is done here, the coal being also hauled to Krebs.

19. *Osage Coal and Mining Company's mine No. 12, near Krebs, Ind. T.*—This mine is situated about 2 miles east of Krebs. The shaft is 209 feet deep. Cages are provided with approved safety catches. First-motion, double-hoisting engines, with 16 by 30 inch cylinders and 7-foot drum, are used. Steam for hoisting engines, plane engine, fan and engine for dynamo is furnished by two boilers. There is a 12-foot Crawford & McCrimmon fan supplying 25,000 feet of air per minute at the head of ventilating shaft, the hoisting shaft being used as downcast. Ingress and egress is had by means of the hoisting shaft and by the ventilating shaft, which is provided with stairway. These shafts are of the requisite distance. This mine is worked on the long-wall system, the mining being done with Sperry long-wall mining machines, electricity being furnished by a Thompson & Houston dynamo, driven by a 40-horsepower Atlas engine.

NOTE.—Since writing the above I learn that the company are abandoning this mine, its place being supplied by a new mine which the company are now commencing near McAlester.

20. *Osage Coal and Mining Company's mine No. 10, at Krebs, Ind. T.*—The shaft of this mine is 350 feet deep. Cages are fitted with safety catches and overhead protection. Upper and lower landings are provided with gates. Hoisting engines are first-motion, double engines, manufactured by the Litchfield Car and Machine Company, with 16 by 30 inch cylinders and 7-foot drum. Steam is supplied by a battery of five boilers for hoisting engines, slope engines, fan engines, pump, etc. A 15-foot Crawford & McCrimmon fan and a 12-foot fan of the same make exhaust the air at two ventilating shafts situated on the upper workings of the mine. A 7-foot fan of the same make is placed at a ventilating shaft on the lower workings, which latter is chiefly used for forcing air into the mine for the purpose of preventing freezing in the hoisting shaft in the winter. Sufficient air is furnished to amply meet the requirements of the law, about 32,000 cubic feet per minute being supplied. Ingress and egress is had by means of the hoisting shaft and one of the ventilating shafts, which latter is provided with stairway. Good traveling ways are maintained and the air courses are kept in good condition.

21. *Osage Coal and Mining Company's Mines Nos. 11 and 11½.*—Since my last report the connection between mines Nos. 11 and 11½ has been completed, making practically one mine. The shaft No. 11½ has been equipped with a large engine and two boilers. Two additional fans, with separate engine for each, have been erected. The shaft at this point is also used for men and material and affords additional means of ingress and egress from No. 11. The improved ventilation resulting from this opening and the additional fans fully meet the requirements of the extended workings. The new plane driven from 11½ to a point in the main west entry of No. 11 about 1,800 feet from foot of shaft, at which point coal from the lifts on this plane will be landed and then delivered by mules to foot of main No. 11 shaft, and thence hoisted, greatly increases the capacity of this mine. It is the intention to continue this plane down to cut off the long haul on west entries from slope drive at foot of shaft, where coal will also be delivered to this point. A large single hoisting engine is placed at the head of this plane, near the foot of 11½ shaft, for the purpose of

handling this coal. There is also a plane near the foot of No. 11 shaft, at which point there is a single engine to handle the coal from the lifts on that plane to foot of No. 11 shaft. At the head of the slope of No. 11 and near the foot of the shaft is a single engine for the purpose of hauling the coal from the dip workings, which consists of three lifts. There is one electric pump at foot of slope and one electric and one steam pump at foot of shaft. Steam for the engines and pumps is supplied from the boilers on the surface by a system of pipes down the shaft and the dynamo furnishes current for the electric pump at foot of shaft.

The main shaft of No. 11 mine is 470 feet deep. The cages are fitted with efficient safety catches and overhead covers are provided. Hoisting engines at main shaft are first-motion; double engines, manufactured by the Litchfield Car and Machine Company. An 8-foot drum is used. Six large boilers of approved pattern generate steam for the machinery. Jeffrey electric mining machines are largely used in this mine. As stated in my last report these machines have been used with great success not only in the decreased cost of the production of coal, but also in the additional safety to men, this mine being dry and dusty. The mining being thoroughly done, there is less danger from windy or blown-out shots (which are the frequent cause of coal-dust explosions). The ventilation of this mine, which has become very large and extensive in its operations, has been, by the improvements first alluded to, increased to meet all the necessities of the case. There are now three air or ventilating shafts. There are now four fans, so arranged that in case of accident auxilliary fans can be immediately started. The amount of air furnished is over 50,000 cubic feet per minute, and is ample to meet the requirements of the law. There are now three shafts for the purpose of ingress and egress, viz, the hoisting shaft and two of the ventilating shafts mentioned, and these are provided with stairway. Traveling ways of the requisite area are constantly kept open and guideboards are placed to indicate to the men the means of escape in case of accident. This mine is one of the largest and best in the Territory.

22. The Osage Coal and Mining Company also operate a number of strip, slope, and drift pits in the vicinity of the three mines last mentioned. The product of these, as well as of the deep mines, is shipped from Krebs, on the Missouri, Kansas and Texas Railway. Wherever these come within the requirements of the law it has been conformed to. The following are the names of the strip, slope, and drift pits alluded to: Homers Slope mine; T. and A. Clelland Drift mine; Galbraith Slope mine; McBee & Carty Slope, lately commenced; Joe Hughes Slope, Strip and Drift; Millard & Givens Slope mine.

Mr. William Cameron, superintendent of the Osage Coal and Mining Company, and Mr. William Strong, Mr. Lance Lamb, and Mr. Harry Bosley, pit bosses, respectively, of mines Nos. 10, 11, and 12, are competent, careful, and experienced. They have all cheerfully aided me in my inspections of the various mines in their charge and readily adopted any suggestions I have made. Extreme care has been used in the selection of engineers and other men holding responsible positions, and in establishing and enforcing rules for the protection of men.

23. The Kansas and Texas Coal Company have commenced stripping coal on the Simpson prairie, northeast of Krebs, to which they have built a spur track from the Krebs branch of the Missouri, Kansas and Texas Railway. They have also started a slope, and the machinery is on the ground for its operation. The vein is about 3½ feet thick, with a dip of about 20 degrees to the northwest.

24. Edwards & Son, about three-fourths of a mile west of McAlester, have two slopes about one-fourth of a mile apart, driven into a 4-foot vein of coal, with a dip of 30 degrees to the southeast. Slope No. 1 has two lifts. Slope No. 2 has one lift and second entry being driven for second lift. This mine is equipped with a pair of small double-hoisting engines, furnished with steam by an upright boiler. Mine is ventilated by furnace. This mine is not yet fully opened out. Product is hauled to McAlester, on the Missouri, Kansas and Texas Railway.

25. The Osage Coal and Mining Company are just commencing to sink a new shaft about a mile east of McAlester. I am informed by Mr. Cameron, the superintendent, that it is the intention to operate this new mine on the long-wall plan, using long-wall electric mining machines.

26. J. J. McAlester has started a slope about 3 miles west of McAlester and driven same into a 4-foot vein. Slope is only driven a short distance.

27. The McAlester Coal and Coke Company had started a slope about 1 mile south of McAlester. This mine was equipped with small hoisting engine and boiler. Slope was driven about 150 feet, but has been temporarily abandoned.

28. T. N. Foster has commenced slope and strip pits about 1½ miles southwest of South McAlester, on Missouri, Kansas and Texas Railway. Mine is at present idle. Very little coal has been taken out.

29.—*Savannah Coal and Mining Company.*—This mine has not yet been completed according to plans. Very little work has been done since my last report. Slope has been extended, a new lift started, and the upper lift abandoned. A room is being extended to form a passage for ingress and egress. This mine is not in good condition, but I am promised that it shall be put in better condition as the work proceeds.

30. *Choctaw Coal and Mercantile Company.*—This mine is at Johnstown, about 2 miles south of Savannah, on the Missouri, Kansas and Texas Railway. It is now being operated by Walker & Co. under lease from the receiver of the United States court. Slope has been driven to a second lift and entries are now being driven. Ingress and egress is had by main slope and by an escapement shaft, situate about 300 feet from main slope. New fan has just been erected, with a capacity of 35,000 cubic feet of air per minute, which will be sufficient for the requirements of this mine. A friction-geared hoisting engine, 12 by 16 inch cylinder, with 5-foot drum, has been lately put up and supplied with steam by suitable boilers. There is a 4-foot vein of coal, with a dip of 60 degrees. It is a good quality of bituminous coal.

31. At Savannah, at old mines Nos. 1 and 2, some coal is being taken out under contract with the Savannah Coal and Mining Company.

32. Three miles west of Johnstown an opening has just been started by Watkins & Co. Engine and boiler set up. Coal is a 4-foot vein, dipping 60 degrees toward the northwest.

33. *Lehigh mine No. 5.*—This mine is operated by the Atoka Coal and Mining Company. The shaft of this mine is 201 feet deep. Cages are supplied with efficient safety catches and overhead covers. Hoisting engines are first-motion, double engines, manufactured by the Keystone Ironworks Company, Kansas City, with 12 by 24 inch cylinders. Steam is supplied by a battery of three boilers, which furnish steam for the machinery above and below ground. Two 10-foot Crawford & McCrimmon fans are placed at one of the upcast ventilating shafts and a 12-foot fan of same make at a second ventilating shaft, the quantity of air supplied to this mine being over 50,000 cubic feet per minute, or over 8,000 cubic feet per 50 men per minute. Ingress and egress is had by the

main hoisting shaft and also by No. 5½ air and haulage shaft, which latter is provided with stairway. Air courses and traveling ways are kept in good condition and guideboards are placed to indicate means of escape. This mine is connected with No. 5½ air and haulage shaft, at which place there is a plane and slope from which lifts are turned; also a slope driven from near foot of main shaft No. 5, with four lifts. There is a single hoisting engine at head of slope for hauling coal up the same. All the operations of this mine are at present confined to hauling up the slope, the present capacity being about 500 tons per day. This mine would have a capacity of 1,200 tons per day if all parts of the mine were in operation.

34. *Lehigh mine No. 6.*—This mine, which is operated in connection with what was known as No. 6½ shaft, is the property of the Atoka Coal and Mining Company. The shaft of this mine is 240 feet deep. Cages are provided with efficient safety catches and overhead covers. Gates are supplied to upper and lower landings. First-motion, double Litchfield engines, with 16 by 30 inch cylinders and 7-foot drum, are used for hoisting and are supplied with steam by a battery of three boilers, which also furnish steam for the machinery above and below ground. A 12-foot Crawford & McCrimmon fan is placed on a ventilating shaft sunk to the rise of the coal, and a 10-foot Cole fan is placed at a second ventilating shaft, known as shaft "No. 6½," the quantity of air furnished being 50,000 feet per minute, or over 11,000 feet per 50 men per minute. Good traveling ways are maintained and air courses are kept in good condition. As mentioned in my last report, this is the best ventilated mine in the Territory, as the system adopted supplies each set of entries with a separate current of air, dispensing with trap doors and increasing the general safety of the mine. Ingress and egress is had by the hoisting shaft and the two ventilating shafts mentioned, both of which are provided with stairways.

35. A very extensive strip and drift pit is operated by the Atoka Coal and Mining Company, at Lehigh, Ind. T., the stripping at some points being 20 feet in depth. Large quantities of coal are taken out and shipped over the Missouri, Kansas and Texas Railway.

Mr. William Cameron is superintendent of the Atoka Coal and Mining Company's mines at Lehigh, and Mr. B. S. Thompson is assistant superintendent. Both of these gentlemen have rendered me every facility for inspection and are earnest in their endeavors to comply with the law.

36. *Coalgate mine No. 4.*—This mine is operated by the Southwestern Coal and Improvement Company. Hoisting shaft is 274 feet deep. Cages are self-dumping and are provided with efficient safety catches and overhead covers. Direct-acting, double engines are used for hoisting. Cylinders are 16 by 24 inches, and drum is 8 feet in diameter. Steam is furnished for all the machinery by a battery of four boilers. There are two shafts for ventilation in addition to the downcast. Air is supplied by a 12-foot fan, which furnishes 35,000 cubic feet of air per minute, or 7,000 feet per 50 men per minute. Air courses are in good condition. There are two shafts for ingress and egress, in addition to the hoisting shaft, one of the two first named being fitted up with a stairway. Good traveling ways are kept at all times.

37. *Colgate mine No. 5.*—This mine is also the property of the Southwestern Coal and Improvement Company. Since my last report a connection has been made with No. 2 (an old mine), which gives additional facilities for ingress and egress, besides increasing the capacity of the mine. This shaft is 60 feet deep and has a capacity of 1,200 tons per

day. Cages are provided with approved safety catches and overhead covers. A 12-foot fan, furnishing 20,000 cubic feet of air per minute, is placed at the upcast ventilating shaft, which is provided with stairway and is used for ingress and egress in addition to the hoisting shaft, and which effects compliance with the law both as to ventilation and means of escape. Air courses and traveling ways are maintained in good condition. Suitable and sufficient hoisting engine and boilers are used and machinery is kept in good condition.

38. Some stripping is done by the Southwestern Coal and Mining Company at Coalgate, from which the coal is shipped over the Missouri, Kansas and Texas Railway.

No. 3 mine at Coalgate, described in my last report, has been worked out and abandoned. Midway Strip pits, described in my last report, have also been worked out and abandoned. Mr. Ed. Henderson, superintendent of mines for the Southwestern Coal and Improvement Company at Coalgate, has cheerfully aided me in my inspections and has readily complied with suggestions looking to the safety of miners.

39. A new mine has been opened near Coalgate by Harkins & Co., product being hauled to the Missouri, Kansas and Texas Railway. This mine has not yet been fully developed. Ventilating and escapement shafts are now under way.

40. Some stripping is being done about 2 miles west of Coalgate and hauled to the Missouri, Kansas and Texas Railway.

The above and foregoing completes the description of the various coal mines, strip and drift pits in the principal coal field in the Indian Territory, first alluded to.

There is a coal field in the southern part of the Indian Territory, with a vein of coal from 6 to 25 feet in thickness, which has been partially developed in several places west of Antlers, on the St. Louis and San Francisco Railway. This coal has a very light specific gravity, is very friable, and will not bear transportation. It burns very freely and leaves but little ash. Being at some distance from railroad, it can not profitably be operated. This property is owned by V. M. Locke, H. W. Adams, and associates.

The coal field in the northern part of the Indian Territory is a continuation of the Kansas coal field. It is similar in character, but the vein is much thinner, running from 18 to 30 inches in thickness, lying nearly flat and near the surface. Following is a description of the various operations in this field:

Strip pit at Bull Creek, near Oologah. Product shipped via Missouri Pacific Railway.

Strip pit at Pennington, near Claremore, Ind. T. Product shipped via Missouri Pacific Railway.

There are a number of small strip pits west of the Missouri, Kansas and Texas Railway, between Muscogee and Vinita, from 6 to 15 miles distant from the railroad. The coal is of good quality, the vein varying from 14 to 18 inches in thickness. This coal is sold locally, being too far from the railroad to be profitably hauled to it.

There are a number of strip pits at or near Tulsa, on the line of the St. Louis and San Francisco Railway, from which considerable coal is taken out and shipped by rail.

ACCIDENTS CAUSING PERSONAL INJURY OR DEATH IN AND AROUND THE COAL MINES IN THE INDIAN TERRITORY, FROM JUNE 30, 1894, TO JUNE 30, 1895.

1894.

July 30. C. C. Smith (colored), miner; left leg broken; fall of slate at Hartshorne; Choctaw, Oklahoma and Gulf Railway Company's mine No. 1.

July 25. Clive Scranton, spragger; hand mashed; fell while attempting to sprag cars; Hartshorne mine No. 1.

Aug. 8. Frank Place (Lithuanian); fatal; coupling link broke, causing trip to break loose on slope, running back on him and killing him instantly; Alderson; Choctaw, Oklahoma and Gulf Railway Company's Slope.

Aug. 9. William Simmons, miner; thumb on left hand mashed and left side of head bruised; fall of rock in room No. 28, second north entry of Hartshorne mine No. 1.

Oct. 1. David John (Welsh), inside foreman, age 34 years; left leg broken above ankle; struck by wheels of a pit car which had fallen down shaft, he being near the bottom of shaft; Krebs; Osage Coal and Mining Company's shaft No. 11½.

Oct. 4. Antone Beneditchick (German), miner, age 23 years; thigh broken; loose coal fell on him while undermining it; Alderson Slope mine.

Oct. 13. Richard Whalen (American), strip pit boss, age 41 years; face and hands badly burned and sight partially destroyed; explosion of powder while preparing shot; Lehigh; Atoka Coal and Mining Company's strip pits.

Oct. 15. Henry Sherwood (English), miner, age 30 years; burned about face, neck, arms, and hands; explosion of fire damp caused by his taking in naked lamp after having been warned of the presence of gas; Alderson Slope mine.

Oct. 25. John Costatto (Italian), driver, age 21 years; small bone in arm broken; arm caught between bar and pit car; Coalgate; Southwestern Coal and Improvement Company's mine No. 4.

Oct. 26. Richard Murphy (Irish), timber man, age 36 years; back and shoulders wrenched; fall of slate in straight south entry while cutting a bar hole; Coalgate; Southwestern Coal and Improvement Company's mine No. 5.

Oct. 26. Mose Fennell (English), miner, age 47 years; fracture of vertebra, causing complete and permanent paralysis; fall of slate while propping roof of room; Galbraith's Slope.

Nov. 10. Joseph Jung (German), slope cleaner, age 66 years; fracture and paralysis of vertebra; struck by pit car; Krebs; Osage Coal and Mining Company's shaft No. 2.

Nov. 16. George Rachel (Hungarian), miner, age 38 years; burned on face and hands; carried naked lamp into face of No. 72 west entry, exploding fire damp, after being warned; Krebs mine No. 2.

Nov. 21. John Hamilton (colored), miner, age 40 years; killed instantly; went back to examine shot which had hung fire, when it exploded, killing him; Hartshorne mine No. 1.

Nov. 29. Dime Oseland (American), driver, age 21 years; fatal; was found dead under first car of his trip; it is supposed that he had slipped off while riding on car; Coalgate mine No. 5.

Dec. 13. Mike Marshall (Polander), timberman, age 35 years; left arm broken above elbow, left hip bruised, and head cut and bruised; fall of rock while cleaning up a fall; Hartshorne mine No. 1.

Dec. 18. Edward League, laborer, age 35 years; small bone of left leg broken; fall of top coal; Gewen; Choctaw, Oklahoma and Gulf Railway Company's mine No. 2.

Dec. 31. Alexander McDonald (Scotch), miner, age 22 years; right hip dislocated; fall of top slate; Gowen mine No. 2.

1895.

Jan. 3. Harry Davis (American), spragger, age 16 years; left leg broken above knee and left hip bruised; clothing caught on pit car, dragging and squeezing him between car and rib or side of entry; Hartshorne mine No. 1.

Jan. 3. Finney Cheatham (American), driver, age 17 years; simple fracture of both legs; mule started up suddenly pulling pit car on him; Krebs mine No. 11.

Jan. 8. John Matison (Polander), miner, age 40 years; two small bones broken in right foot; fall of coal while mining; Krebs; Osage Coal and Mining Company's mine No. 10.

Feb. 5. William Murray (American), shot firer, age 32 years; burned on face, neck, arms, and hands; Brooks, the other shot firer, went in room with naked light while Murray was brushing out gas or fire damp and ignited same; Braidwood, Ind. T.; Kansas and Texas Coal Company's mine No. 35.

1895.

Feb. 4. Henderson Wren (American), laborer, age 19 years; finger fractured; hand caught in coupling; Krebs mine No. 11.

Feb. 9. Thos. McLeod (English), miner, age 62 years; three ribs broken and leg bruised; fall of rock caused by taking out prop; Lehigh; Atoka Coal and Mining Company's mine No. 6.

Feb. 9. Gus Brown (colored), machine runner, age 28 years; small bone of left ankle fractured; fall of loose coal from face; Gowen mine No. 2.

Feb. 14. Jacob Marlond (English), miner, age 30 years; simple fracture of leg; fall of coal while undermining; Krebs mine No. 10.

Feb. 15. James Thompson (colored), driver, age 25 years; left hand bruised and collar bone dislocated; fall of piece of top slate; Hartshorne mine No. 1.

Feb. 15. Joe Porter (colored), miner, age 23 years; collar bone fractured and one rib broken on left side; caught and squeezed between pit cars; Hartshorne mine No. 1.

Feb. 16. Chas. Ford (American), rope rider, age 26 years; right foot mashed, necessitating amputation of toes; pit car jumped the track and Ford's foot was caught between empty and loaded cars; Hartshorne mine No. 1.

Feb. 18. John Kop (Polander), miner, age 27 years; severe scalp wound, slight cut on left arm and simple fracture of left leg; fall of loose slate; Krebs mine No. 10.

Feb. 21. Robert Lowery (colored), driver, age 25 years; left foot bruised and two small bones broken in foot; collision of pit cars; Hartshorne mine No. 1.

Feb. 23. Mat McCrey (colored), laborer, age 30 years; right leg broken and back bruised; fall of top rock; Hartshorne mine No. 1.

Feb. 25. James Frame (Scotch), trapper, age 13 years; simple fracture of the left arm; struck by bumper of car; Krebs mine No. 10.

Mar. 1. Peter Marco (Italian), miner, age 40 years; chest and back slightly bruised; fall of top slate; Krebs mine No. 11.

Mar. 12. Louis Morofski (Polander), miner, age 34 years; fatal. This man mistook a shot which had been fired by another miner for his, and went back to the face, when the shot went off, killing him instantly; Hartshorne mine No. 1.

Apr. 16. Frank Vemsick (Austrian), miner, age 23 years, and John Seclioski (Austrian), miner, age 26 years; severely burned about head, arms, and body. These men were injured by an explosion of fire damp, which had collected in a fall of top near face. They had been furnished with safety lamps and instructed to use them, but disregarded their instructions and went to the face with naked lamps, which ignited the gas and caused their injuries. They had also been instructed to wear shirts at this work, which instructions they also disregarded, and this neglect aggravated their injuries; Hartshorne mine No. 1.

May 11. Ivory Duncan (American), laborer, age 19 years; simple fracture of left leg; fall of top slate; Gowen mine No. 2.

May 11. John Williams, jr. (Scotch), driver, age 20 years; fracture of front bone of left leg; first pit car of trip jumped the track and he was caught between the cars; Lehigh mine No. 6.

May 21. Jordan Groter (colored), miner, age 49 years; burned about face and hands. James Gordon (colored), miner, age 41 years; burned about face and hands. Peter Cameron (Polander), miner, age 28 years; burned about face, hands, arms, and back. Frank R. Sannans (Polander), miner, age 38 years; burned about face, hands, and chest. Joe Obert (Italian), miner, age 28 years; burned from head to hips; fatally. These five men were all injured by an explosion of fire damp in Alderson Slope mine, in room No. 31, which room had been known to have developed some fire damp; room had been marked with cautionary sign, indicating that "gas" should be "brushed out" before entering same with naked lights. Sannans and Cameron, who were "buttys" were working this room, and Sannans went in with naked light, in disregard of the rules and caution mark, and placed his naked light on a pile of coal about 6 feet from the face. He then proceeded to brush out the "gas," brushing it right on to the lamp, when it immediately exploded, burning Cameron and himself as described. Obert, Groter, and Gordon were passing along the entry in front of the mouth of room No. 31 and were badly burned, as described, Obert's injuries terminating fatally.

May 22. Joe Corallo (Italian), miner, aged 36; burned about face, hands, and arms; went into lower side of a "break through" (which was in course of being driven) in disregard of positive instruction not to go there. This place had been "dead lined." He also used naked light in face of positive instruction to use safety lamp. Fire damp was ignited and he was burned as described. Alderson Slope mine.

1895.
June 24. Peter Buffo (Italian), miner, age 40 years; fractured skull; fatal. On June 24 he was eating his dinner within 6 feet of the face of his room, when a small piece of slate suddenly broke loose from the roof, falling on his head and fracturing his skull. This accident was caused by the neglect of Buffo to securely prop his room. Krebs mine No. 10.

Résumé of accidents.

Fall of roof	13
Run over by pit car	5
Pit car falling down shaft	1
Fall of coal	5
Powder explosion	1
Fire-damp explosion	11
Caught between pit car and bar	1
Went back on shot	2
Dragged by pit car	1
Coupling pit cars	1
Caught between pit cars	4
Struck by pit cars	1
Total	46

Fatal accidents, 6; nonfatal, 40.

As noted in my last report, it will be seen that a large percentage of the accidents were also caused this year by the falling of roof and coal. This is due to the risks taken by miners in not securely propping their rooms. I have paid great attention on my periodical visits to the various mines to ascertain whether props are kept at convenient stations for the use of the miners and have invariably found that props were furnished of suitable length and in sufficient quantities, and in most instances where accidents have occurred investigation has shown that props were in the rooms and close at hand. There has been a larger number of gas or fire-damp explosions this year than last. Competent gas men are employed at all the mines that generate fire damp to inspect the mines before work for the day is commenced, but the cautions given are often disregarded, with serious and sometimes fatal results.

GENERALLY AS TO COMPLIANCE WITH THE PROVISIONS OF THE LAW.

I have found generally a disposition on the part of mine owners to comply with the law. In addition to the specific requirements of the act of Congress, many rules are adopted and precaution taken to insure, as far as possible, safety to life and property. Suggestions made by me as to improvements in this regard are, as a rule, cheerfully received and speedily adopted. In enforcing the provisions of the law it is to be borne in mind that many new mines are constantly being commenced, many of these limited in their size and capital, and there being no provision in the law as to how soon after the commencement of these enterprises the full demands of the law must be complied with, it is obvious that some discretion must be used in these matters. It will be readily seen that at the commencement of a shaft a large amount of labor has to be performed before the necessary connection can be made either for ventilating shafts or for additional means of ingress and egress. Further, many of the smaller mines which have been commenced a considerable time ago have, for want of capital, on account of litigation, lack of orders, or other reasons, been standing idle; or, when started up, it has been with a change of ownership, and in some such cases the law has not yet been fully complied with, and yet in

these cases there may have been and generally has been a conscientious effort to comply with the law as soon as practicable. In all cases, however, except a few such as are here alluded to, the necessary appliances for the safety of miners have been supplied, the number of air or ventilating shafts have been sunk and are in operation, and in many instances additional shafts have been sunk where the existing ones were deemed inadequate; the requisite number of shafts or slopes have been sunk for ingress and egress, and the same provided with stairways; the character and condition of the machinery for ventilating mines is good; the quantity of fresh air supplied has been amply sufficient; in no case has a furnace shaft been allowed to be used as a means of escape. In regard to the furnishing of metal speaking tubes for the purpose of carrying on conversation from top to bottom of shaft or slope, I wish to say, in this connection, that while in all instances such metal tube has been provided, yet in the larger workings where the slope system of mining has been adopted, and where these slopes are of long distances, it has been found impossible to carry on conversation, as the sound of the human voice can not be conveyed for such long distances through a speaking tube. Safety catches and overhead covers have been provided to all cages, and these are subjected by me to frequent tests, and are also periodically inspected by the master mechanic or engineer of the various companes.

The rule prohibiting the employment of children under 12 years of age has been rigidly enforced. The provision of the law making it a misdemeanor to make false statement in this regard renders this section efficacious. Strict attention is given to the section of the law providing that only experienced, competent, and sober men shall be placed in charge of hoisting apparatus or engines, and this principle is carried out in regard to ventilating or other machinery, and that due care has been exercised in this regard is borne out by the fact that since my appointment as inspector there has only been one accident causing personal injury which resulted from the handling of machinery, and that accident was, in my judgment, purely accidental and unavoidable. The maximum number of men allowed to ascend and descend on cages has been in each instance determined by me, and my instructions have, to the best of my knowledge, been always carried out.

I have always been rendered every assistance in my periodical inspections of the various mines. Any information sought has been promptly furnished and suggestions as to improvements adopted. Accidents, fatal or otherwise, are duly reported to me by the operators.

There is no provision in the law enforcing compliance, on the part of the miners or other workmen, with the rules laid down by the various companies, or with the obvious care necessary in conducting so hazardous a business as coal mining for the protection of life or property. A very large majority of all the accidents reported by me as inspector have been caused either by some violation of rules or by careless and reckless conduct on the part of the miners. First among these is the failure to sufficiently prop the roofs of rooms. The miner is considered responsible for the safety of his working face in this regard, but I almost universally find it necessary on my periodical visits to the mines to caution the miners on this matter. Notwithstanding that timbers may be furnished in sufficient quantities and at convenient points, the miner is too apt to assume risks which may result in injury, and possibly death. Next in order in the list of casualties is explosion of fire damp. To guard against this danger, wherever fire damp is known to exist competent and careful men are appointed to examine

each working face before the men enter the mine each day, and where "gas" is found, cautionary or danger marks are made. In almost every accident reported arising from this cause, the accident has resulted from the violation of a well-known rule or the disregard of some obvious duty.

Owing to the volatile and rich character of the bituminous coal in this district, wherever the mine has been of a dry and dusty nature, it has been deemed prudent to employ shot firers, who do not enter the mine until all the other men are out. These shot firers have strict instructions not to fire any improperly prepared shot and to report such improperly prepared shot, and the miner who thus risked the lives of men or the property of the company is liable to suspension or discharge.

Proper rules have been made relative to keeping a sufficient quantity of props and other timbers on hand and a system adopted whereby the miners can have such timbers immediately supplied to them on demand. Powder is kept at specified stations and rules adopted to reduce the danger arising from this explosive to a minimum. Signals are adopted for communication with engineers and others. Other and necessary rules are made and publicly posted, copies of which I have made elsewhere a part of this report.

I also append hereto a copy of the act of Congress for the protection of the lives of miners, which I also make a part of this report:

[PUBLIC No. 165.]

AN ACT for the protection of the lives of miners in the Territories

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in each organized and unorganized Territory of the United States wherein are located coal mines, the aggregate annual output of which shall be in excess of one thousand tons per annum, the President shall appoint a mine inspector, who shall hold office until his successor is appointed and qualified. Such inspector shall, before entering upon the discharge of his duties, give bond to the United States in the sum of two thousand dollars, conditioned for the faithful discharge of his duties.

SEC. 2. That no person shall be eligible for appointment as mine inspector under section one of this act who is not either a practical miner or mining engineer and who has not been a resident for at least six months in the Territory for which he shall be appointed; and no person who shall act as land agent, manager, or agent of any mine, or as mining engineer, or be interested in operating any mine in such Territory shall be at the same time an inspector under the provisions of this act.

SEC. 3. That it shall be the duty of the mine inspector provided for in this act to make careful and thorough inspection of each coal mine operated in such Territory, and to report at least annually upon the condition of each coal mine in said Territory with reference to the appliances for the safety of the miners, the number of air or ventilating shafts, the number of shafts or slopes for ingress or egress, the character and condition of the machinery for ventilating such mines, and the quantity of air supplied to the same. Such reports shall be made to the governor of the Territory in which such mines are located and a duplicate thereof forwarded to the Secretary of the Interior, and in the case of an unorganized Territory directly to the Secretary of the Interior.

SEC. 4. That in case the said mine inspector shall report that any coal mine is not properly constructed or not furnished with reasonable and proper machinery and appliances for the safety of the miners and other employees it shall be the duty of the governor of such organized Territory it shall be the duty of the Secretary of the Interior to give notice to the owners or managers of said coal mine that the said mine is unsafe and notifying them in what particular the same is unsafe, and requiring them to furnish or provide such additional machinery, slopes, entries, means of escape, ventilation, or other appliances necessary to the safety of the miners and other employees within a period to be in said notice named, and if the same be not furnished as required in such notice it shall be unlawful after the time fixed in such notice for the said owners or managers to operate said mine.

SEC. 5. That in all coal mines in the Territories of the United States the owners or managers shall provide at least two shafts, slopes, or other outlets, separated by natural strata of not less than one hundred and fifty feet in breadth, by which shafts, slopes, or outlets distinct means of ingress and egress shall always be available to the persons employed in said mine. And in case of the failure of any coal mine to be so provided it shall be the duty of the mine inspector to make report of such fact, and thereupon notice shall issue, as provided in section four of this act, and with the same force and effect.

SEC. 6. That the owners or managers of every coal mine at a depth of one hundred feet or more shall provide an adequate amount of ventilation of not less than fifty-five cubic feet of pure air per second, or thirty-three hundred cubic feet per minute, for every fifty men at work in said mine, and in like proportion for a greater number, which air shall by proper appliances or machinery be forced through such mine to the face of each and every working place, so as to dilute and render harmless and expel therefrom the noxious or poisonous gases; and all workings shall be kept clear of standing gas.

SEC. 7. That any mine owner or manager who shall continue to operate a mine after failure to comply with the requirements of this act and after the expiration of the period named in the notice provided for in section four of this act, shall be deemed guilty of a misdemeanor, and shall be fined not to exceed five hundred dollars.

SEC. 8. That in no case shall a furnace shaft be used or for the purposes of this act be deemed an escape shaft.

SEC. 9. That escape shafts shall be constructed in compliance with the requirements of this act within six months from the date of the passage hereof, unless the time shall be extended by the mine inspector, and in no case shall said time be extended to exceed one year from the passage of this act.

SEC. 10. That a metal speaking-tube from the top to the bottom of the shaft or slope shall be provided in all cases, so that conversation may be carried on through the same.

SEC. 11. That an approved safety catch shall be provided and sufficient cover overhead on every carriage used in lowering or hoisting persons. And the mine inspector shall examine and pass upon the adequacy and safety of all such hoisting apparatus.

SEC. 12. That no child under twelve years of age shall be employed in the underground workings of any mine. And no father or other person shall misrepresent the age of anybody so employed. Any person guilty of violating the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not to exceed one hundred dollars.

SEC. 13. That only experienced and competent and sober men shall be placed in charge of hoisting apparatus or engines. And the maximum number of persons who may ascend or descend upon any cage or hoisting apparatus shall be determined by the mine inspector.

SEC. 14. That it shall be lawful for any inspector to enter and inspect any coal mine in his district and the work and machinery belonging thereto at all reasonable times, but so as not to impede or obstruct the working of the mine; and to make inquiry into the state of the mine, works, and machinery, and the ventilation and mode of lighting the same, and into all matters and things connected with or relating to the safety of the persons employed in or about the same, and especially to make inquiry whether the provisions of this act are complied with; and the owner or agent is hereby required to furnish means necessary for such entry, inspection, examination and inquiry, of which the said inspector shall make an entry in the record in his office, noting the time and material circumstances of the inspection.

SEC. 15. That in all cases of fatal accident a full report thereof shall be made by the mine owner or manager to the mine inspector, said report to be in the writing and made within ten days after such death shall have occurred.

SEC. 16. That as a cumulative remedy, in case of the failure of any owner or manager of any mine to comply with the requirements contained in the notice of the governor of such Territory or the Secretary of the Interior, given in pursuance of this act, any court of competent jurisdiction, or the judge of such court in vacation, may, on the application of the mine inspector in the name of the United States and supported by the recommendation of the governor of said Territory or of the Secretary of the Interior, issue an injunction restraining the further operation of such mine until such requirements are complied with, and in order to obtain such injunction no bond shall be required.

SEC. 17. That wherever the term "owner or manager" is used in this act the same shall include lessees or other persons controlling the operation of any mine. And in case of the violation of the provisions of this act by any corporation the managing officers and superintendents, and other managing agents of such corporation, shall be personally liable and shall be punished as provided in act for owners and managers.

SEC 18. That the mine inspectors provided for in this act shall each receive a salary of two thousand per annum, and their actual traveling expenses when engaged in their duties.

SEC. 19. That whenever any organized Territory shall make or has made provision by law for the safe operation of mines within such Territory, and the governor of such Territory shall certify said fact with a copy of the said law to the Secretary of the Interior, then and thereafter the provisions of this act shall no longer be enforced in such organized Territory, but in lieu thereof the statute of such Territory shall be operative in lieu of this act.

Approved March 3, 1891.

RULES OF THE OSAGE COAL AND MINING COMPANY, KREBS, IND. T.

NOTICE.

For the protection of life and property the following rules regarding mining and the use of powder must be strictly adhered to from this date at this mine:

1. All coal must be under cut at least 2 feet in rooms and no shot to be placed so the point of the shot or any part of the powder shall be more than 4 feet from the face or more than 2 feet beyond the under cutting.
2. All entries or other narrow work under 12 feet wide to be under cut to full depth of holes drilled for blasting.
3. Shot firers must not fire any shot unless coal is cut as above specified and said shot is otherwise proper and safe.
4. Only one shot to be fired at a time in any separate split of air, and the following shot not to be lit until the smoke is cleared away.
5. No shot to be fired while anyone except the shot firers are in the mine, and they shall not enter the mine for the purpose of firing until all the men are out of the mine.
6. Only enough powder for one day's use will be allowed in the mine at any time.
7. Powder to be kept in proper air-tight powder cans, and the cans must be kept in a tight, locked box; said box to be at least 300 feet from any working face, and only at points designated by the mine manager or "pit boss."

WILLIAM CAMERON, *Superintendent.*
R. M. MCDOWELL, *General Manager.*

MCALESTER, IND. T., *February 8, 1892.*
Approved.

MINE SIGNALS.

From bottom to top.

One bell, hoist coal or dirt. Three bells, men to be hoisted; men to get on cage when answered by 1 bell rung by engineer—not before—then ring 1 bell to hoist. While hoisting, 1 bell to stop cage instantly. When so stopped, 1 bell to go ahead, or 2 bells to reverse and go back. Four bells, mule to be hoisted. To be answered by engineer same as for men. One bell, all ready, get on the cage. Three bells, send away empty cage.

Never cross the shaft, either through or under the cage. Always go round.

By order of—

WILLIAM CAMERON, *Superintendent.*

POWDER REGULATIONS.

1. All persons (except those appointed by the coal company, or the mercantile company having charge of the powder sales) are prohibited from entering the powder house under any pretense whatever.
2. The use of tobacco in any form is strictly prohibited by any person while in the performance of his duties in or around these powder houses, neither shall any such person enter said powder house with matches or other material which is ignitible about his person.
3. No powder keg shall be opened in any other manner than by the slide or lead plug provided for such purpose; it is strictly prohibited to use a plug of any kind to drive through the end of a powder keg for the purpose of opening the same.
4. It will be the duty of those authorized who perform this work to see that no person enters the powder houses while said work is in progress; also to govern their actions by the above regulations.
5. No lights of any kind shall be allowed in or around the powder houses.

WILLIAM CAMERON, Superintendent.

ATOKA COAL AND MINING COMPANY, LEHIGH, IND. T.

LOCAL RULES.

1. Nine and one-half hours shall constitute a day's work.

2. Whistles will be blown as follows: 5 a. m. on days when mine works; 6.30 a. m., warning whistle; 7 a. m., commence hoisting coal; 12 m., stop hoisting coal; 12.30 p. m., commence hoisting coal; 5 p. m., stop hoisting coal; 5.30 p. m., final; and between 7 and 9 p. m., notification that mine will be idle following day.

3. No employee will be allowed to enter mine after 7 a. m. whistle.

4. Signals shall be as follows: One bell, hoist coal or other material. One bell, stop cage or car when in motion. Two bells, lower cage or car. Three bells, hoist men. When men are to be hoisted this signal should be used: When engineer answers by one bell, then men shall get on cage or car, and 1 bell will be signal to hoist. Four bells, hoist mule. Five bells, give steam to slope engine. Six bells, shut off steam to slope engine.

5. No more than 8 men or boys shall be allowed on cage at one time.

6. Any miner who negligently blows out timbers and causes falls at his working face will be required to clear same at his own expense. The company will only assist in such clearing of falls when roof was shown to have been bad or there was no negligence shown on the part of the miner.

7. Any miner loading "bony" coal or any foreign matter with his coal, shall, for the first offense, be suspended one day; for a second offense, be suspended one week; and, for the third offense, shall be discharged.

8. No miner shall open a keg of powder in the mine except by removing the slide or lead plug provided for the purpose, and shall in no case make an opening by using a pick or other iron instrument. He shall also keep powder and other explosives in a tight, locked box.

9. Firing of shots shall take place but once daily, and shall commence at 5 p. m. at a signal to be agreed upon by the pit boss and the miners. In case of mine working but half a day, shots may be fired at 12 noon. Any miner firing before these hours shall be subject to the same penalties as are specified in rule 7 for loading "dirty" coal.

10. Any employee taking tools, powder, or any other supplies not belonging to him shall be fined $5 for the first offense, and for any second offense, shall be discharged.

11. No miner or other employee shall be entitled to receive his time at the company's office until he shall receive from the pit boss a clearance card; and in case of employees renting a company house, a note from the superintendent's clerk stating amount of rent due.

12. These local rules are merely supplementary to the general rules of the company for protection to life and property. Any employee violating any of these rules to which no penalty is attached shall be dealt with as the pit boss directs.

W. CAMERON, *Superintendent.*

KANSAS AND TEXAS COAL COMPANY.

RULES FOR MINE NO. 35.

Notice to miners.

BRAIDWOOD, IND. T., *February 1, 1895.*

SECTION 1. All coal must be under cut 2 feet in rooms, and no shot to be placed so the point of the shot or any part of the powder shall be more than 4 feet from the face or more than 2 feet beyond the under cutting.

SEC. 2. All entries or other narrow work under 12 feet wide to be under cut to full depth of holes drilled for blasting.

SEC. 3. Shot firers must not fire any shot unless coal is cut as above specified and said shot is otherwise proper and safe.

SEC. 4. Only one shot to be fired at a time in any separate split of air, and the following shot not to be lit until the smoke is cleared away.

SEC. 5. No shot to be fired while anyone except the shot firers are in the mine, and they shall not enter the mine for the purpose of firing until all the men are out of the mine.

SEC. 6. Only enough powder for one day's use will be allowed in the mine at any time.

SEC. 7. Powder to be kept in proper air-tight powder cans, and the cans must be kept in a close, tight box; said box to be at least 300 feet from any entry face, and only at points designated by the mine superintendent or pit boss.

WM. EGLY, *Superintendent.*

Approved.

E. J. CRANDALL, *General Manager.*

RULES GOVERNING THE MINES OF THE CHOCTAW, OKLAHOMA AND GULF RAILWAY COMPANY.

1. Miners or other workmen engaged at the mines shall read, and such as can not read, shall have these rules read to them, and all persons engaged in the service of the company must be governed by these rules and regulations.

2. All miners must be in the mines before the 7 o'clock whistle blows in the morning. Drivers must have their mules out of the stables and ready for work, and all other company men must be prepared to start work when the whistle blows at 7 o'clock.

3. Miners must be careful in building lumps of coal on their cars so as to prevent loss to both miners and company by coal falling off and causing wreck on slope.

4. That when any grievance may arise the party having the grievance must first try and adjust it with the pit boss; should they fail to adjust it they will refer it to the superintendent of mines, whose decision shall be final.

5. Any employee feeling aggrieved in any respect must present his grievance to the pit boss in person, and shall not stop work by reason of any grievance while the matter is being adjusted, and all matters shall be adjusted outside of the working hours.

6. That any person found with tools or powder belonging to another or taking or using tools or powder belonging to another without the owner's consent shall for the first offense be fined $2.50, and for the second offense he shall be discharged. Such fines to be paid to the owners of the tools and collected at the company's office, and any person detected in exchanging checks on the pit cars shall be immediately discharged.

7. All persons employed in the mines, are strictly forbidden to ride up or down the slopes on the trips; and all men that may require to leave the mine while hoisting is being done, must travel out the manways.

8. Miners are strictly forbidden from going into the next room for safety when firing a shot, but are required to go to a safe distance in the entry, in order to be out of all danger.

9. Miners are strictly forbidden to fire a shot without giving warning of their intention to other workmen who may be near them, and must wait until all are at a safe distance.

10. All miners must run their loaded cars down their rooms to the parting, but not out on the entry; the drivers shall pull the empty cars to the face of the pitch rooms. Miners to make height for mules.

11. In all the mines, unless otherwise designated, the time for firing shots shall be 12 o'clock noon, when half time is being worked, and 5 o'clock evening when mine is working three-quarter or full time. Any employee detected in breaking this rule shall have his turn stopped for the first offense, and for the second offense shall be suspended for one week; for third offense will be discharged.

12. It shall be the duty of every miner to keep his room or working place well propped, in good order and repair, and keep it perfectly safe in every way, and any miner who shall willfully and negligently or carelessly suffer his room to get out of order and repair, he shall upon request put same immediately in repair, and if he does not the company will do the work required and charge the cost of the same to the miner.

13. All miners causing falls of rock, either by carelessness or the reckless use of powder, blowing out the timbers or damaging brattice, will repair the same at their own expense, or failing to do so the company will repair and charge the cost of the the same to the miner.

14. When falls of rock take place in working places that have been properly timbered, a reasonable amount (to be agreed upon between the pit boss and the miners) shall be paid for cleaning up the same, but where falls occur through blowing out props or careless timbering no allowance will be made for repairing.

15. In places where the roof is dangerous and sufficient timber can not be procured, it shall be the duty of the workman or the miner to notify the pit boss at once and stop work until the timber can be obtained. All timber and rails will be furnished by the company to each working place at the point of delivery of empty cars, after the miner has ordered the same.

16. All drivers must take proper care of their mules, and any driver known to abuse, mistreat, or injure his mules in any way shall be discharged.

17. The fire boss (in mines where gas or fire damp is generated) or person acting in that capacity shall examine every working place in the morning before any miner or employee has entered the same, and shall mark the day of the month in some conspicuous place with chalk, which will be proof that he has examined the same, and under no circumstances must a miner or other employee enter a working place

with an open lamp after being notified not to do so, or after finding a warning notice at the entrance of his working place.

18. It will be the duty of the fire boss when he finds standing gas in any working place to carefully dead line the same by making one, two, or three crosses with chalk plainly on a piece of board; the number of crosses to signify the amount of gas in the working place. If the standing gas is in a room, he shall place the d ad line at the entrance to the same; if in an entry or air course, at a safe distance from the gas. The fire boss shall then notify the pit boss, who will see that the gas is carefully removed, so as to avoid accident; and any employee who shall knowingly or carelessly enter a place with an open lamp, thus dead lined, shall be immediately discharged.

19. Miners employed in places where explosive gas is generated shall be furnished with a safety lamp, and if for any cause they leave their working places, for even a short time, before reentering again with an open lamp they shall fira try the place with a safety lamp to see that no gas had collected during their absence.

20. No miner who has left the employ of the company or who has been discharged from the same shall be entitled to any pay or money due him until he shall have put his room in perfect working order, as required by the company. All miners leaving said employment will be required to procure the certificate of the pit boss that they have complied with the rule aforesaid before final payment or settlement shall be made.

21. If any miner should leave an empty pit car in his room over night, and the car should be lost or destroyed by the caving in of the room or the firing of a shot or through any other carelessness, the full value of the pit car shall be charged to him.

22. Any miner or employee who shall intentionally damage any signal bell or wire, safety lamp, brattice, airway or door, or open a door and not close it again, or do anything by which the safety of the men or the mine may be endangered, shall be promptly discharged.

23. In the event of death by accident in the mine, employees shall be allowed one-half day for the funeral. In all other cases any employee desiring to attend the funeral of a fellow employee, or a member of his family, shall be at liberty to be absent himself for that purpose after notifying the pit boss, but all other men shall be at work as usual.

24. No person will be allowed to interfere with the employer's just right of employing, retaining, or discharging any person or persons whom the superintendent or mine boss having charge of the mine may consider proper, or to interfere in any way, by threats or otherwise, with the right of any employee to work in any way and upon any terms and with whom he may think proper and best.

25. All powder will be delivered at the top of the shaft after being ordered by the miner, and will be sent down by the company. The rope rider will be instructed to deliver it at the proper entries, but in no case will the company be responsible for powder lost after it has been delivered at the entry marked on the powder keg.

26. Miners in making up charges or cartridges of powder must put their lamps on the outside of their box, and not less than 5 feet therefrom. Any miner found making charges or cartridges of powder with his lamp burning on his head shall for the first offense be suspended for three days, and for the second offense shall be discharged.

27. All miners must carefully remove all slate from their coal while loading it into their cars; any miner sending out slate in his coal cars shall for the first offense be docked 500 pounds, for the second 1,000 pounds, and for the third be suspended for one week.

28. The whistle will blow at 7 o'clock in the evening when the colliery will not work on the following day.

29. All employees who desire to absent themselves from work must notify the foreman under whom they work the day before. Anyone absent without permission will for the first offense be suspended three days, and for the second offense be suspended one week, and for the third offense be discharged. All miners absenting themselves three consective days without permission will be considered as having left the employ of the company and their places will be assigned to others.

30. All miners are strictly forbidden from leaving their working places to enter any vacant or unoccupied place without permission of the foreman. Any violation of this rule will be followed by an immediate discharge.

31. Anyone detected violating any of the above rules for which no penalty is named will for the first offense be suspended three days, for the second offense will be suspended one week, and for the third offense will be discharged.

32. Any tenant of the company will be charged for any damage done to the house he occupies, and upon leaving its service, whether voluntarily or by discharge, will not be entitled to receive any part of the wages due him until he shall have vacated the premises occupied by him, and presented the keys of the same at the office, and the house has been examined and amount of damage deducted from his wages.

33. No meetings shall be held during the working hours of a hoisting day.

Entering the employment of the company is understood to be an acceptance of the foregoing rules.

EDWIN LUDLOW,
Superintendent of Mines.
A. B. FRAZIER,
Assistant Superintendent, Hartshorne, Ind. T.
C. STUMBAUGH,
Assistant Superintendent, Alderson.

Various companies or individuals operating in the Indian Territory, with officers or owners, and field of operations.

Name of company or individual.	Officers or owners.	Locality.
W. O. Hartshorne	W. O. Hartshorne	Pocola.
Kansas and Texas Coal Co.	B. F. Hobart, president, St. Louis, Mo.; E. J. Crandall, general manager, St. Louis, Mo.; Wm. Egly, superintendent, Pocahontas, Ind. T.	Pocola, Jenson, Pocahontas, and Simpson Prairie.
Small strip pits	Various	Bokosho.
Cavanal Coal and Mining Co.	C. W. Dawley, president, Dallas, Tex.; G. H. Witte, superintendent, Poteau, Ind. T.	Poteau.
Strip pits	Individual	Fanshawe.
McAlester Coal and Mineral Co.	Jas. Degnan, president, Krebs, Ind. T.; Jas. McConnell, manager, Wilburton, Ind. T.	Wilburton.
Strip pits	Individual	Do.
Choctaw, Oklahoma and Gulf Railway Co.	Francis Gowen, president, Philadelphia, Pa.; Edwin Ludlow, superintendent, Hartshorne, Ind. T.; A. B. Frazier, assistant superintendent, Hartshorne, Ind. T.; C. Stumbaugh, assistant superintendent, Alderson.	Gowen, Hartshorne, Alderson, and Wilburton.
Strip pits	Jno. Grady	Hartshorne.
Noah Samples	Noah Samples	Alderson.
Edwards & Son	Edwards & Son	McAlester.
J. J. McAlester	J. J. McAlester	Do.
T. N. Foster	T. N. Foster	South McAlester.
Savannah Coal and Mining Co.	R. Bowen, general manager; Jno. Bowen, superintendent, Savannah, Ind. T.	Savannah.
Choctaw Coal and Mercantile Co.	J. W. Walker, president; R. Church, superintendent.	Do.
Watkins & Co	Watkins & Co	Johnstown.
Osage Coal and Mining Co.	Edwin Gould, president, New York, N. Y.; R. M. McDowell, vice-president and general manager, St. Louis, Mo.; A. M. Fellows, jr., general sales agent, St. Louis, Mo.; Wm. Cameron, superintendent, Krebs, Ind. T.; T. W. Clelland, cashier, Krebs, Ind. T.	Krebs and McAlester.
Atoka Coal and Mining Co.	Edwin Gould, president, New York, N. Y.; R. M. McDowell, vice-president and general manager, St. Louis, Mo.; A. M. Fellows, jr., general sales agent, St. Louis, Mo.; Wm. Cameron, superintendent, Krebs, Ind. T.; B. F. Thompson, cashier and assistant superintendent, Lehigh, Ind. T.	Lehigh.
Southwestern Coal and Improvement Co.	Wm. Bond, president, New York, N. Y.; Ira Fleming, superintendent, Coalgate, Ind. T.; Ed. Henderson, mine superintendent, Coalgate.	Coalgate.
Harkins & Co	Harkins & Co	Do.
Strip pits	Individual	Do.
Western Coal and Mining Co.	Jno. Evans, superintendent	Inola.
Strip pits	Individual	Pennington.
Do	do	Near Vinita.
Do	do	Tulsa.

Output of coal and men employed in the Indian Territory for the year ending June 30, 1895.

Name of coal mines or operators.	Tons.	Men employed.
Choctaw, Oklahoma and Gulf Railway Co	397,186	1.011
Osage Coal and Mining Co	237,604	800
Atoka Coal and Mining Co	166,963	416
Southwestern Coal and Improvement Co	322,872	800
Savannah Coal and Mining Co	22,596	48
Western Coal and Mining Co	20,600	90
Kansas and Texas Coal Co	16,800	100
Noah Samples	12,000	80
Cavanal Coal and Mining Co	7,989	54
Tulsa Strip pits	7,000	45
Edwards & Son	3,755	54
T. N. Foster	1,100	6
Bokoshe Strip pits	1,000	10
Choctaw Coal and Mineral Co	1,100	32
Harkins & Co	7,000	39
Pennington Strip pits	800	15
W. O. Hartshorne	700	6
Coalgate Strip pits (Perry Bros.)	500	10
McAlester Coal and Mineral Co	300	10
Wilburton Strip pits	300	10
Vinita Strip pits	200	10
Fanshawe Strip pits	75	2
Total	1,228,440	3,648

REPORT OF THE INSPECTOR OF COAL MINES OF UTAH.

SALT LAKE CITY, UTAH, *September 17, 1895.*

SIR: In submitting this, my second annual report, I am pleased to say, that without an exception the mine owners have afforded me every facility for the discharge of my duty, and I have not a single violation of law to report.

The escape way at Pleasant Valley mine is built in accordance with the requirements of the law, but it would be practically of no avail in case of a stampede in the mine. The attention of the company has been called to this, and the superintendent assured me that an additional opening would soon be made, giving to miners adequate means of escape.

Castle Gate mine.—The escape way at this mine is too far away from the present working face, and to use it necessitates traveling through abandoned workings for a long distance; this, however, will be righted by an additional escape way now nearing completion.

The Layson mine, near Cedar City, is in very bad condition; timbers rotten, roof and sides caving badly, and there is a great amount of foul air in the parts accessible. This mine is closed down and has been so for a long time. The instructions of the inspector to the owners are that the mine must not be entered or worked without first getting the advice and consent of the inspector.

Cluff mine, located near Cedar City, is provided with a crude arrangement in the way of a fan, which when working supplies sufficient air for the present force, six men, 643 cubic feet; but the fan was not running when I went to the mine, as the men were at dinner, it being the custom to stop the fan at meal hours. My instructions to the lessee were that no person should be permitted to enter the mine until after the fan had been run not less than two hours previous to such entry.

DESCRIPTIVE.

By reference to the mineral map of the Territory will be seen the great scope of country included in the coal fields of Utah. Beginning on the north at Coalville, we find the deposit sufficient to justify the opening and partial working of some eight or ten mines. The vein here varies from 7 to 12 feet, the coal as a rule is free from bone or dirt, and mines clear. The dips of the different mines vary, proving beyond a doubt that the main deposit has not yet been struck. The formation in some mines is a rotten sandstone above and in some cases fireclay at the bottom. Water is usually encountered, but not sufficient to impede mining. The roofs are of a crumbly nature, and props have to be used. Faults are encountered, and in some cases the coal vein plays out, while the quality of coal is improving and size of vein neither increasing nor diminishing. Coal is invariably encountered again as soon as

fault is passed. The surface formation further justifies the belief that the main body or vein has not yet been encountered, the break-offs being traceable for miles. The bottoms of levels and entries are free from heaving. The quality of coal is excellent for domestic or heating purposes. This coal will not coke. Coalville district is entitled to more space upon the map, it only showing the boundaries of actual croppings, though coal has been discovered since making the map both north and southeast. Mining here is done on the pillar and room system, and with one exception all mines are worked through a slope. Owing to transportation facilities being limited, Coalville as a coal district is yet in its swaddling clothes, though its mines now compete with syndicate mines, and aid in keeping the price of coal down, being the nearest fields to Salt Lake. It would command the major portion of the Salt Lake trade had it the transportation.

Ashley district.—Bearing southeast from Coalville, we come to the Ashley district. Owing to its inaccessibility this district has neither been developed nor has sufficient work been done to determine the exact extent of the coal field. Sufficient development has been done to unearth the vein and find it from 2 to 11 feet of about the same quality as Coalville coal, except a little brighter and harder. Settlers mine for domestic purposes, but mining is not carried on to any extent. The formation is about the same as Coalville.

Scofield district.—South of east we find Scofield, Castle Gate, and New Wales. The Scofield district is one of the finest coal deposits in the West. The vein in the Winter Quarters mine is about 16 feet, while the vein in the Pleasant Valley mine is 28 to 30 feet, of a superior quality of coal. In the Winter Quarters mine props have to be used, while in the Pleasant Valley mine the coal strips 28 to 30 feet clear, and no props are used. These mines are dry. New Wales coal is about the same as Winter Quarters, though not so extensively worked. The Pleasant Valley mine, like the Castle Gate and Winter Quarters, has feeders in the way of railroad connection, which gives to them an opportunity to reach markets other mines can not reach and pay the freight rates; this, in addition to quality of coal, gives these mines the bulk of the coal trade.

Castle Gate mine.—The capacity of this mine is at least 200 tons daily. The present working force averages 160 men daily. The management of this mine is most excellent. The dust is of a combustible nature and the greatest care has to be exercised in keeping it dampened evenly, which is done by means of steam and water sprays. This mine is worked, as all others in the Territory, on the room and pillar system.

The capacity of the Winter Quarters mine is at least 150 tons daily.

New Wales.—Here we find a good, healthy vein of coal, which is good for domestic and heating purposes, but will not coke equal to Castle Gate or Winter Quarters. The boundaries of the coal field are very well defined on map.

Manti, or Sterling district.—Continuing west of south we come to the Sterling Coal and Coke Company. Here we find a good quality of coal, said to be a coking coal, vein from 7 to 12 feet, which strips clear, free from bone or dirt. The Edmunds mine adjoins the Sterling mine. Foul air here necessitates the greatest care in the matter of ventilation in both these mines.

Southeast of Sterling we find Castle Dale and Farron districts. Here the coal deposit is very extensive, of a nature similar to Coalville, possibly heavier and brighter, but the lack of transportation leaves these fields yet in the crude state, and mining at this time does not justify the necessary outlay of capital to develop fully.

Cainville district.—Continuing southeast we again encounter the same quality of coal as at Castle Dale and Farron districts. The vein is a good and strong one, 3 to 12 feet, and the field the largest in the Territory. Mining here will not pay, owing to lack of transportation, and the few openings depend upon settlement trade, which is as yet very limited.

Kanarra district.—Southwest again we encounter coal at Kanarra. This field extends north to within 10 miles of Cedar City. The mining here is crude and is dependent upon settlement trade, which is very small. Years ago the Layson mine was extensively worked, but has been practically abandoned for some years and the mine has caved badly. The coal is a good domestic, and the vein is from 3 to 9 feet.

Iron City.—Southeast is Iron City, a coal field of considerable extent; a good heating coal; vein from 3 to 9 feet; formation about the same as Coalville. It is claimed this coal will coke.

At Lower Crossing, Ordville, Paria, and White Canyon we find coal, the developments of which are not such as to enable minute detail.

Provo and Nephi have recently discovered coal, which should place these cities on the coal-producing list soon. Development work only has been done as yet.

Coke.—Castle Gate is the only mine in the Territory now making coke. This coke finds a ready market, but is used by smelters usually at the ratio of 1 ton of Castle Gate coke to 3 tons of Crested Butte.

Machinery.—The Allan, Cullen, Hopkins, Castle Gate, Winter Quarters, and Sterling mines all have machinery equal to the capacity of each mine and kept in excellent condition. The Williams, Gomer, Thomas, and Wilson mines have machinery equal to present capacities of each mine, but the engines of the last-named mines are not standard, and any material increase of work would necessitate additional engine power.

Hoists.—The Allan is the only mine in the Territory using a hoist; all other mines are worked by slope.

Superintendents.—The class of men employed as superintendents as a rule are most excellent in the matter of economically mining coal, and in intervening between employee and employer.

Healthfulness of mines.—Foul air at the various mines necessitates the closest watching.

Wages.—Miners are paid by the ton. As a rule they are content, the greatest complaint being too many idle days on account of short orders.

Shots.—The Castle Gate mine has a given hour for firing shots, all other mines shoot at will.

Engineers.—At all mines employing engineers the class of men employed are sober, middle-aged or younger, and thoroughly competent men.

Foremen.—With one or two exceptions the class of men employed as foremen are competent, trustworthy, and sober.

Mode of living.—At Pleasant Valley the mining company have a number of cottages, built exclusively for the miners. The cottages are comfortable and rent at a nominal figure; the same at Castle Gate. At all other mines the miners rent from private parties or own their own homes. At Castle Gate, Winter Quarters, and Pleasant Valley the mining company have arrangements by which the miners can get credit at certain stores. It is claimed the trading is not compulsory.

Nationality of miners.—At Castle Gate: Italians, Danes, Scotch, and American. Winter Quarters: Scotch, Welch, Finlanders, and American. Pleasant Valley: Welch, Scotch, and American. At other mines, Scotch, English, Welch, and American.

FATAL ACCIDENTS.

January 6, 1895, D. D. Green, a miner, 52 years of age, working in the Pleasant Valley mine, received injuries from which he died shortly after. The accident was caused by the ladder upon which he was standing being pushed out of balance by falling coal, throwing him upon a short piece of rail, causing concussion of the brain.

List of mines in the Territory, and output of each, for the year ending June 30, 1895.

	Tons.		Tons.
Cullen mine	9,360	Edmunds	897
Allan (idle).		Dexter (no report).	
Castle Gate	193,507	Williams	180
Wasatch	50,244	Corey (idle).	
Winter Quarters	152,560	Wood & Taylor (idle).	
Wilson	4,870	Kanarra	780
Pleasant Valley	55,008	Hopkins	15,600
Gomer Thomas	3,800	Boyer	77
Deseret (no report).		Winters	82
Thomas & Daniels (no report).		Deming	60
Church	2,870	Pittsburg	596
Fair View	520	Chalk Creek	14,280
Deer Creek	740	Griffiths	487
Bear Canyon	480	Price	690
Wales	900	Sterling	2,744

There are thirty mines in the Territory, twenty-seven of which are producing coal, and three are idle.

Timbers.—All mines are provided with timbers. While the Pleasant Valley mine requires no timbers, yet a good supply is constantly kept on hand for an emergency. No complaint has been made to me of a failure on the part of companies to provide timbers and keep them at convenient places for the miners.

Respectfully submitted by your obedient servant,

JAMES B. RAWLINGS,
United States Coal Mine Inspector for Utah.

The SECRETARY OF THE INTERIOR.

REPORT OF THE UNITED STATES COAL MINE INSPECTOR FOR THE TERRITORY OF NEW MEXICO.

SILVER CITY, N. MEX., *August 26, 1895.*

SIR: In compliance with section 3 of an act of Congress approved March 3, 1891, entitled "An act for the protection of the lives of miners in Territories," I herewith submit the third annual report of this office, for the fiscal year ending June 30, 1895.

This report contains a description of the coal mines in this Territory for the fiscal year ending June 30, 1895, with statistics of the output of coal and coke, fatal and nonfatal accidents, air measurements, ventilation, and methods of working, etc. This report is carefully compiled from my monthly reports of inspection and from data furnished by the operators of the various mines.

As there are no Territorial laws governing the working of coal mines I have been guided wholly by the act of Congress approved March 3, 1891, entitled "An act for the protection of the lives of miners in the Territories."

The mining officials throughout the Territory, with one exception, have given willingly accounts of all accidents happening in their respective localities, and have done everything requested of them relative to the sanitary condition of the mines and safety of the miners.

During my term of office for the fiscal year as mine inspector I have had no reason to complain seriously of ventilation; in some instances I have found a deficiency of air in some of the working places, but it was at once remedied. The same may be said as to the general condition of the mines.

It has been the aim of the mine officials to operate their respective mines in compliance with the requirements of the mining laws.

The general condition of the mines throughout the Territory is found to be steadily improving. In mines where no second outlet has been driven I have ordered the same pushed to an early completion. There are but three of the mines that I have visited that have not the second outlet, and the outlet is being driven in each of them.

JOHN W. FLEMING,
United States Mine Inspector for the Territory of New Mexico.

The SECRETARY OF THE INTERIOR.

INSPECTIONS.

BEACON HILL MINE.

[F. W. Smith, superintendent.]

Located 1 mile south of the town of Gallup, Bernalillo County, N. Mex. Owned and operated by the Los Angeles Coal Company. Kind of coal, lignite; thickness of vein, 6 feet; output, 300 tons; estimated value of output, $450; average employees inside, 6; average employees outside, 3; length of slope, 500 feet.

The output of this mine is hauled to the Atlantic and Pacific Railroad at Gallup station and shipped to Los Angeles, Cal. The mine is operated by a slope 500 feet in length, has a capacity of about 50 tons per day, and is ventilated by an air shaft.

RECORD OF INSPECTION.

Inspected February 20, 1895: I measured 9,042 cubic feet of air entering the mine per minute and 9,860 cubic feet of air returning through the return air course; the air was distributed throughout the workings of the mine in compliance with the law. I found a fall of rock in the return air course and ordered it cleared up at once. There were 6 men at work in the mine; production about 20 tons per day.

Inspected April 12, 1895: I measured 2,475 cubic feet of air per minute entering the mine. On this date the mine was not being operated. I was informed that operations had been suspended for ten days. I found the mine in good condition.

BLACK DIAMOND MINE.

[Hugh McGinn, superintendent; James Richards, pit boss; C. W. Kennedy, general manager.]

Located about 1 mile north of Gallup, Bernalillo County, N. Mex. Owned and operated by the Crescent Coal Company. Kind of coal mined, semibituminous; thickness of vein, 5 feet; output (fiscal year), 44,721 tons; estimated value of output, $67,906.92; average employees inside, 30; average employees outside, 10; length of slope, "drawing pillars."

This mine is located on a spur, 1 mile in length, connecting with the Atlantic and Pacific Railroad at Gallup station, and is operated by a slope. The only work done on this mine for the past year has been the drawing of pillars. On my last visit I was informed by the superintendent that he expected to finish work on the mine within sixty days and then abandon the workings.

RECORD OF INSPECTION.

Inspected October 13, 1894: I measured 6,682½ cubic feet of air entering the mine per minute, and found it distributed throughout the workings, with the exception of one place, where miners were drawing pillars. I ordered a curtain put in to force the air to that place. I measured 7,227 cubic feet of air returning through the return air course. The main return air course was partly filled with falls of rock, and I ordered the pit boss to have it cleared as soon as possible. Found the machinery in good condition. On this date the production was about 300 tons per day; 67 persons were employed in and about the mine.

Inspected November 13, 1894: I measured 7,191½ cubic feet of air entering the mine per minute and found it well distributed throughout the workings. I measured 6,610 cubic feet of air returning through the return air course. I found the main return air course partly filled up from a fall of rock, and ordered the pit boss to drive another air course from the furnace through to No. 2 entry, a distance of 30 feet; he informed me he would put men to work and have the air course driven as fast as men could drive it. I found all places in the mine where men were working in good condition; the machinery also.

Inspected January 7, 1895: I measured 5,775 cubic feet of air entering the mine per minute, and measured 6,186 cubic feet of air returning through the return air course. I found the air distributed throughout the workings of the mine in compliance with the law. I found the air course, which I had ordered driven (November 15) between No. 2 entry and the furnace, had been completed; found the mine and machinery in good condition. At this date the production was about 240 tons per day. There were employed in and about the mine 40 persons.

Inspected February 21, 1895: Measured 5,880 cubic feet of air entering the mine per minute, and measured 5,860½ cubic feet of air per minute returning through the return air course. The air was distributed throughout the workings of the mine in compliance with the law. The drawing of pillars was the only work being done.

As soon as this is done the workings will be discontinued. I ordered the pit boss to furnish a plenty of props for the miners. Production at this date was about 160 tons. Number of persons employed was 27.

Inspected April 19, 1895: Measured 2,800 cubic feet of air entering the mine per minute. Found the air distributed throughout the workings in compliance with the law. Production about 200 tons per day. Forty-six persons were employed in and about the mine.

Inspected June 11, 1895: Measured 2,429 cubic feet entering the mine per minute, and measured 2,500 cubic feet of air per minute returning through the return air course. The mine and machinery were in good condition. On this date production was about 120 tons. Thirty-seven men were employed in and about the mine.

CANNAVAN & BAILEY.

[Isaac Bailey, general manager.]

Located about 1 mile northwest of Gallup, Bernalillo County, N. Mex. Owned and operated by Cannavan & Bailey. Kind of coal, lignite; thickness of vein, 4 feet 6 inches; output, 1,600 tons monthly; estimated value of output, $2,480; average employees inside, 9; average employees outside, 2; length of slope, 250 feet; improvements, $1,300.

The product is hauled to the Atlantic and Pacific Railroad at Gallup station, and shipped to Jerome, Ariz. Is operated by a slope 250 feet in length. Capacity about 50 tons per day. Ventilated by furnace.

RECORD OF INSPECTION.

Inspected October 16, 1894: On this date the slope was about 50 feet deep. There was 3 feet of very fine coal of a lignite character, a two-horse whim is being used for hoisting. This is my first inspection of the mine; it has just been opened.

Inspected June 15, 1895: I measured 1,500 cubic feet of air entering the mine per minute and found it distributed throughout the workings of the mine in compliance with the law. This mine was not being operated in compliance with the provisions of section 5 of the United States mining laws. I therefore ordered Mr. Bailey to commence work on the second outlet as soon as possible. Production, about 50 tons per day. Eight men were employed in the mine.

CALEDONIA MINE.

[John Stewart, superintendent; George Evans, pit boss; Alex. Bowie, general manager.]

Located 3 miles from Gallup, Bernalillo County, N. Mex., in a northwesterly direction. Owned and operated by the Caledonian Coal Company. Kind of coal, lignite; thickness of vein, 5 to 6 feet; annual output, 41,455 tons; estimated value of output, $62,180; average employees inside, 65; average employees outside, 10; length of slope, 1,800 feet (estimated).

This mine is located on a spur 3 miles in length connecting with the Atlantic and Pacific Railroad at Gallup station; is operated by a slope about 1,800 feet in length; has a capacity of about 250 tons of coal per day; product sold to Atlantic and Pacific Railroad and also shipped to southern California. Ventilated by an air shaft and furnace.

RECORD OF INSPECTION.

Inspected July 21, 1895: I measured 1,784 cubic feet of air entering the mine per minute, and 3,462 cubic feet of air returning through the return air course. I examined all the workings of the mine; found the air very deficient. I informed the pit boss that there was not enough air traveling for the men employed, and that before they returned to work more air should be traveling. When I returned from inspecting the mine I was informed by Mr. Stewart (superintendent) that the furnace was not started very early that morning, but that he would see that plenty of air was traveling before the miners reentered the mine. I found the roadways in good condition, with the exception of one place where a timber had been broken by a loaded car jumping the track. I ordered the pit boss to replace the timber with a new one, which he said he would attend to at once. This mine up to the date of my visit only worked one day during the month of July. On my return to Gallup I called on Mr. Alex. Bowie, who is the general manager, and advised him of the deficiency in the air. He told me that he would see that plenty of fresh air was traveling in the mine before the miners returned to work. There were 57 persons employed in and about the mine.

Inspected October 15, 1894: I measured 10,717½ cubic feet of air entering the mine per minute and found it distributed throughout the mine in compliance with the law;

measured 10,600 cubic feet of air returning through the return air course. Since my last inspection a new air shaft has been sunk, which has made a vast improvement in the quality of the air traveling through the mine. I found the workings and machinery in good condition. Fifty-six persons were employed in and about the mine.

Inspected November 19, 1894: I measured 11,610 cubic feet of air entering the mine per minute and found it distributed throughout the workings of the mine in compliance with the law; found 12,000 cubic feet of air returning through the return air course. The mine and machinery were in fair condition. On this date the production was about 200 tons per day. There were employed in and about the mine 52 persons.

Inspected January 5, 1895: I measured 11,209 cubic feet of air entering the mine per minute and measured 11,007 cubic feet of air returning through the return air course. I found men working ahead of the air in Nos. 3 and 4, south entries, and I ordered the work stopped and ordered crosscuts driven between the front and back entries; men were put at the work at once. Found the machinery in good condition. Production, about 200 tons per day. There were 66 persons employed in and about the mine.

Inspected February 23, 1895: I measured 17,882½ cubic feet of air entering the mine per minute and measured 17,553 cubic feet of air returning through the return air course. The air was distributed throughout the workings of the mine in compliance with the law. The mine and machinery were in good condition. At this date the production was about 240 tons. Sixty-five men were employed in and about the mine.

Inspected April 16, 1895: I measured 8,160 cubic feet of air entering the mine per minute and 8,242½ cubic feet of air returning through the return air course; found the air distributed throughout the workings of the mine in compliance with the law. On this date the production was about 200 tons. Sixty-nine persons were employed in and about the mine.

Inspected June 14, 1895: I measured 10,450 cubic feet of air per minute entering the mine and measured 10,500 cubic feet of air returning through the return air course. On this date the mine was not being operated, on account of scarcity of railroad cars.

CROWN POINT MINE.

Located about 2½ miles north of Gallup, Bernalillo County, N. Mex. Owned and operated by the Crescent Coal Company.

This mine has a spur running up to the mine from a point about one-half mile east of Gallup station. The mine has not been operated since 1892. The owners are now sinking a new air shaft, putting in new cages in main working shaft, preparatory to starting up during the winter months. Ventilated by a 12-foot Crawford & McCrimmon fan.

RECORD OF INSPECTION.

Inspected June 13, 1895: I found the new shaft had been started at a distance of about 150 feet from the main working shaft. This shaft is being sunk in compliance with section 5 of the mining laws (United States), and is 6 by 7 feet. A new Crawford & McCrimmon fan has been erected. I had it started up and run at 80 revolutions per minute. It produced 40,000 cubic feet of air per minute.

OTERO MINE.

Located 2½ miles in an easterly direction from Gallup, Bernalillo County, N. Mex. Owned and operated by the Caledonian Coal Company. The coal is hauled to the Atlantic and Pacific Railroad, and shipped principally to Los Angeles, Cal.

This mine has been but recently opened; the only work done has been the driving of a tunnel or drift. The vein of coal is 5 feet in thickness.

RECORD OF INSPECTION.

Inspected June 17, 1895: I found that a tunnel or drift had been driven a distance of 85 feet on the vein of coal. At the face of the drift or tunnel the vein of coal was 5 feet in thickness and lignite in character.

GALLUP MINE.

[Hugh McGinn, superintendent; James McQuade, pit boss; C. W. Kennedy, general manager.]

Located 3 miles northwest of Gallup, Bernalillo County, N. Mex. Owned and operated by the Crescent Coal Company. Kind of coal mined, semibituminous; thickness of vein, 6 and 7 feet; output (fiscal year), 107,727 tons: estimated value

of output, $162,350; average employees inside, 160; average employees outside, 20; length of slope, 3,000 feet; improvements (fiscal year), $27,178.58.

This mine is located on a spur 3 miles in length connecting with the Atlantic and Pacific Railroad at Gallup station; is operated by a slope 3,000 feet in length, and has a capacity of production of about 700 tons of coal per day. The mine is ventilated by a 20-foot Crawford & McCrimmon fan.

RECORD OF INSPECTION.

Inspected October 12, 1894: I found the fan running 120 revolutions per minute and measured 47,932½ cubic feet of air per minute entering the mine and measured 46,275 cubic feet of air returning through the main return air course; the air was well distributed throughout the workings of the mine. I found some loose stones hanging from the roof on the seventh left entry; ordered them taken down and the place timbered. I ordered roadways sprinkled to prevent any dust explosion. Since my last inspection a new 1-inch steel rope has been put in place for pulling loaded cars out of the mine. Production, 240 tons per day. There were 174 men working in and about the mine.

Inspected November 17, 1894: The fan was running 106 revolutions per minute. I measured 56,100 cubic feet of air per minute entering the mine, and found it distributed in compliance with the law. I measured 54,225 cubic feet of air returning through the return air course. There being quite a discrepancy in the amount of air entering and returning I sought for the cause, and found a place on the surface where the air was escaping through a crack that extended down to the workings. I ordered the crack filled with dirt to prevent the escape of the air. Found a fall of rock in the air course leading to No. 14 right entry; ordered the pit boss to have the place cleared up at once. He employed men to work the next day (Sunday) to clear the air course and timber it. The coal in No. 7 left entry was nearly all worked out, and as the ground was settling I considered it unsafe. I therefore ordered the work stopped. One hundred and ninety-six men were employed in and about the mine.

Inspected January 4, 1895: The fan was running 80 revolutions per minute. I measured 45,210 cubic feet of air entering the mine per minute and measured 42,989 cubic feet of air returning through the return air course. In No. 14 right entry the air was not well distributed; upon examination I found a fall of rock in the air course leading to this entry. The company had a man at work cleaning up the fall of rock. A new air course has been started, by driving a cross entry from the main slope to the fan, a distance of 150 feet, by which, when completed, the air will be conducted down the main slope instead of through the old air course, which will make a vast improvement in the ventilation of the mine. The return air course is being enlarged. There were employed in and about the mine 194 persons.

Inspected January 8, 1895: I returned to this mine to ascertain if the fall of rock in the air course leading to No. 14 right entry had been cleared; found that my instructions had been complied with, and a sufficient quantity of air was traveling so as to comply with the law.

Inspected February 25, 1895: Measured 34,500 cubic feet of air per minute entering the mine, and was distributed in compliance with the law. The new air course from the fan to the main slope I found had been completed. I ordered a shaft sunk to connect with No. 14 right entry. The superintendent informed me that it would be commenced at once. I found a fall of rock in the air course leading to No. 14 right entry, ordered it cleared and the place timbered. The fan was running 85 revolutions per minute. One hundred and eighty-one men were employed in and about the mine.

Inspected April 13, 1895: On this date, on my return to Gallup from the Bacon Hill mine, the Gallup mine was reported to be on fire. I repaired at once to the scene and found the superintendent with a force of men, who had the fire under control. In thirty minutes after my arrival at the mine the fire was extinguished. The fire originated about 850 feet down the slope from the pit mouth, and occurred between 12 m. and 1 p. m. (during the dinner hour). I made diligent inquiry among the miners and was unable to gain any information as to the cause of the fire. I concluded that a spark from a miner's lamp must have lodged in the timbers, and the air current, being very strong at this place, soon fanned a blaze. Some of the miners were overcome by the smoke, but no loss of life. On April 13 I visited the mine and inspected the place where the fire originated and found that no damage had been done to the mine other than at the place of origin.

April 17, 1895, I again visited this mine and measured 21,945 cubic feet of air entering the mine per minute, and measured 21,250 cubic feet of air returning through the return air course. I found the air distributed in compliance with the law. On my previous inspection (February 25) I ordered the superintendent to sink an air shaft to connect with No. 14 right entry. The work of sinking the shaft was started, but it was discontinued on account of low coal in entry and cost of timbering, so the shaft was started to connect with No. 11 right entry. I found the shaft sunk to a depth of 50 feet. I ordered that a good ladder be put in the shaft to be

used as an escape for the miners. I suggested that sheet iron be used in the slope for brattice instead of lumber. The superintendent informed me that he would comply with my suggestion. He also informed me that a 1½-inch water pipe would be laid in the slope, the same to be connected with the water tank, with valves 100 feet apart, the same to be used in case of fire and for sprinkling the slope and entry. Production at this date was about 600 tons per day. One hundred and ninety-one persons were employed in and about the mine.

Inspected June 12, 1895: I measured 20,475 cubic feet of air per minute entering the mine, and measured 20,000 cubic feet of air returning through the return air course; found the air distributed throughout the workings of the mine in compliance with the law. The mine and machinery were in good condition. The production on this date was about 525 tons per day, and 101 men were employed in and about the mine.

MULHOLLAND MINE.

[Gus Mulholland, general manager.]

Located 2½ miles east of Gallup, Bernalillo County, N. Mex. Owned and operated by Gus Mulholland. Kind of coal, lignite; thickness of vein, 5 feet; output, 650 tons per month; estimated value of output, $975; average employees inside, 8; average employees outside, 2; length of slope, 300 feet.

The product is hauled and sold to the Atlantic and Pacific Railroad and shipped to southern California. The mine is operated by a slope 300 feet in length. Capacity about 30 tons per day. Ventilated by an air shaft. A whim is used to hoist.

RECORD OF INSPECTION.

Inspected January 7, 1895: Measured 2,562½ cubic feet of air entering the mine per minute, and measured 2,520 cubic feet of air per minute returning through the return air course. I found the air distributed throughout the mine in compliance with the law. I found the mine in good condition.

Inspected April 18, 1895: Measured 3,280 cubic feet of air entering the mine per minute, and found the same distributed throughout the workings of the mine in compliance with the law. The mine was in good condition. Production at the time of inspection about 40 tons per day. The number of men employed in and about the mine was 16.

ROCKY CLIFF MINE.

[Frank Dugan, superintendent.]

Located about 2 miles in an easterly direction from Gallup, Bernalillo County, N. Mex. Owned and operated by Frank Dugan. Kind of coal, lignite; thickness of vein, 4 feet 6 inches; output, 2,721 tons; estimated value of output, $3,675; average employees inside, 7; average employees outside, 2; length of slope, 400 feet; improvements, $700.

The product is hauled to the Crown Point Spur, loaded on the cars, and shipped to Jerome, Ariz. Is operated by a slope 400 feet in length. Capacity about 50 tons per day. Ventilated by a furnace.

RECORD OF INSPECTION.

Inspected June 15, 1895: I measured 1,750 cubic feet of air per minute entering the mine and 2,100 cubic feet of air per minute returning through the return air course. This mine is operated by a slope driven about 400 feet on the vein of coal. I found that it was not being operated in compliance with section 5 of the United States mining laws, it having no second outlet; I ordered the owner, Mr. Frank Dugan, to commence work on the second outlet as soon as possible. I found the men in No. 3 room, on No. 1, left entry, working ahead of the air, and ordered Mr. Dugan to have a crosscut driven between Nos. 2 and 3, so as to force air to the rooms. I was assured that the crosscuts would be driven at once. Production about 50 tons per day. Eight men were working in the mine.

SUNSHINE MINE.

[Hugh McGinn, superintendent; Richard Coe, pit boss; C. W. Kennedy, general manager.]

Located about 1½ miles northeast of Gallup, Bernalillo County, N. Mex. Owned and operated by the Crescent Coal Company. Kind of coal mined, semibituminous; thickness of vein, 5 feet; output, 78,255 tons; estimated value of output, $117,382.50; average employees inside, 165; average employees outside, 15; length of slope, 2,000 feet; improvements, new (fiscal year), $31,019.66.

This mine is located on a spur 1¼ miles in length, connecting with the Atlantic and Pacific Railroad at Gallup station; is operated by a slope 2,000 feet in length and has a capacity of production of about 500 tons of coal per day. The mine is ventilated with a 12-foot Crawford & McCrimmon fan.

RECORD OF INSPECTION.

Inspected October 11, 1894: Measured 29,785 cubic feet of air entering the mine per minute and found the air distributed throughout the workings of the mine in compliance with the law. The Black Diamond mine is supplied with air from this mine. I measured 7,925 cubic feet of air per minute traveling through the air course (main) from the Sunshine to the Black Diamond, and measured 17,833½ cubic feet of air returning through the return air course on the Sunshine Mine; the new slope on this mine at this date has been driven 380 feet and is timbered in first-class condition. I found some loose stones hanging in the roof of fourth right entry; ordered them taken down and the place timbered. On this date 104 men were emplyed in and about the mine.

Inspected November 16, 1894: Measured 29,250 cubic feet of air per minute entering the mine and found the same well distributed throughout the mine. I measured 6,975 cubic feet of air traveling through the air course to the Black Diamond Mine and 24,929 cubic feet of air per minute returning through the return air course. The workings were in fair condition; the new slope has been driven 420 feet. It was expected that 20 feet more would connect with the old workings, and it is the intention of the company to double the production as soon as the new slope is completed. Two hundred and forty tons per day is the present output. There were 104 men employed in and about the mine on this date.

Inspected January 8, 1895: The fan was running 50 revolutions per minute. I measured 21,916 cubic feet of air per minute entering the mine and found 22,336½ cubic feet of air returning through the return air course. I found the air distributed throughout the workings of the mine in compliance with the law. I found some loose rock hanging from the roof of No. 2, left entry, ordered it taken down and the place timbered. The new slope is completed and the old slope is used for the miners going and returning from work. The production was about 260 tons per day. There were at this date employed in and about the mine 171 persons.

Inspected February 22, 1895: Measured 28,333 cubic feet of air per minute entering the mine and measured 27,916 cubic feet of air returning through the return air course. I found the air distributed throughout the workings of the mine in compliance with the law; found the mine and machinery in good condition. The production was about 500 tons per day. There were employed in and about the mine on this date 196 persons.

Inspected April 15, 1895: Measured 25,358 cubic feet of air per minute entering the mine and measured 20,210 cubic feet of air returning through the return air course. I found the air distributed throughout the workings of the mine in compliance with the law. I found some loose rock hanging from the roof of No. 1, left entry, and ordered the place timbered. All other working places in the mine were in good condition. On this date production was about 500 tons per day. There were employed in and about the mine 155 persons.

Inspected June 13, 1895: Measured 25,900 cubic feet of air per minute entering the mine and 24,150 cubic feet of air per minute returning through the return air course. Found the air distributed throughout the workings of the mine in compliance with the law. Found the mine and machinery in good condition. On this date production was about 450 tons per day. There were 154 men employed in and about the mine.

Coal mines, Bernalillo County.

Name of mine.	Name of operator.	Post-office.	Average number of men.		Number of tons mined.		Product, 1894-95, estimated value.
			1893-94.	1894-95.	1893-94.	1894-95.	
Sunshine-Black Diamond.	Crescent Coal Co.	Gallup, N. Mex.	234	220	102,714	122,976	$185,290
Gallup	do	do	205	180	107,786	107,727	162,350
Caledonia	Caledonian Coal Co.	do	70	75	37,152	41,455	62,180
Beacon Hill	Los Angeles Coal Co.	do	11	10	40	300	450
Mulholland	Gus Mulholland	do	6	10	480	650	975
Cannavan & Bailey.	Isaac Bailey	do		11		1,600	2,480
Rocky Cliff	Frank Dugan	do		9		2,721	3,675

BLOSSBURG MINE.

[John Bell, superintendent; William Graham, pit boss.]

Located 4½ miles west of Raton, Colfax County, N. Mex. Owned and operated by the Raton Coal and Coke Company. Kind of coal, bituminous; thickness of vein, 6 to 8 feet; output, 139,446 tons; estimated value of output, $209,189; length of slope, 9,000 feet; average number of employees inside, 245; average number of employees outside, 31.

Is located on a branch of the Atchison, Topeka and Santa Fe Railroad, connecting with the main line at Dillon Junction. The mine is on the northeastern portion of the Maxwell land grant. This is the largest coal mine in the Territory; has a capacity of 1,500 tons per day; ventilated by a 20-foot Guibal fan. The product is sold to the Atchison, Topeka and Santa Fe Railroad and the Mexican Central Railroad.

RECORD OF INSPECTION.

Inspected September 25 and 26, 1894: I measured 24,161 cubic feet of air entering the mine per minute and found 28,917 cubic feet of air returning through the return air course; found the air distributed throughout the workings of the mine in compliance with the law. I found a place in the roof of No. 5, right entry, that I considered unsafe. I ordered the loose rock taken down and the place timbered. I inquired among the miners as to the supply of timbers; they informed me they were well supplied with everything they desired.

Inspected May 21, 1895: At this inspection the mine was not working; the fan was running 55 revolutions per minute. I measured 19,275 cubic feet of air entering the mine per minute and measured 19,880 cubic feet of air returning through the return air course. With the exception of No. 10, right entry, the air was distributed throughout the mine in compliance with the law. Mr. Bell, the superintendent, informed me that before the miners commenced work he would have a sufficient quantity of air traveling in the entry.

Inspected March 23, 1895: I measured 24,405 cubic feet of air entering the mine per minute and 26,508 cubic feet of air returning through the return air course; I found the ventilation much improved on account of all the stoppings in the main air course having been made air-tight with cement. At the last crosscut between Nos. 9 and 10, cross entry, where there was a deficiency at last inspection, I measured 4,095 cubic feet of air per minute traveling, which supplied 44 miners. Production, about 1,200 tons per day. There were 306 persons employed in and about the mine at this date. The mine was in fair condition.

On March 25 I inspected the cars, machinery, etc., and found them in good condition.

REMARKS.

Fire damp is known to exist in this mine. I have instructed Mr. John Bell, the superintendent, to use every precaution and not to allow miners to enter any place in the mine where fire damp existed without a safety lamp. I was informed by him that two competent fire bosses were employed to examine the mine thoroughly before the miners entered the mine.

HARTSELL MINE.

[A. R. Hartsell, superintendent.]

Located 6 miles southeast of Raton, Colfax County, N. Mex. Owned and operated by A. R. Hartsell. Kind of coal, bituminous; thickness of vein, 3 feet; output, 260 tons; estimated value of output, $390; average number of employees inside, 2; average number of employees outside, 1; length of slope, 300 feet.

The product of this mine is hauled to Raton, N. Mex., and sold for domestic purposes. Is operated by a slope 300 feet in length; has a capacity of about 5 tons per day. Ventilation natural.

RECORD OF INSPECTION.

Inspected January 22, 1895: I found several places in the main entry where timbers were broken. Mr. Hartsell was not at the mine, so I ordered the men working at the mine to replace the old and broken timbers with new ones. I found a fall of rock in the air course and ordered the men to clear it away, and to timber the air course with good substantial timber. Two men were working in the mine.

Inspected March 26, 1895: On this visit I found that the orders given on my previous inspection had been complied with. I found the mine in fair condition. One man was employed in the mine.

SMITH MINE.

[Henry Smith, lessee and general manager.]

Located 1½ miles west of Raton, Colfax County, N. Mex. Owned by the Maxwell Land Grant Company; operated under a lease by Henry Smith. Kind of coal, bituminous; thickness of vein, 4 feet; output, 2,281 tons; estimated value of output, $3,260; average number of employees inside, 6; average number of employees outside, 3; length of slope, 250 feet.

The product of this mine is hauled to Raton, N. Mex., and sold for domestic purposes. Is operated by a slope 250 feet in length; has a capacity of about 10 tons per day. Ventilation natural.

RECORD OF INSPECTION.

Inspected September 27, 1894: I found but three men working in the mine; upon measurement I found there was not sufficient air traveling to supply them. I found the work on the second outlet had been driven 30 feet, and ordered Mr. Smith to push the work to completion as fast as possible, in order to comply with the requirements of section 5 of the United States mining laws; he informed me that he would have the outlet completed in two weeks.

Inspected March 25, 1895: I measured 800 cubic feet of air entering the mine per minute, and found the air distributed throughout the workings so as to comply with the law. Found the mine in good condition; there was but one man at work in the mine.

Coal mines, Colfax County.

Name of mine.	Name of operator.	Post-office.	Number of men.		Number of tons mined.		Product, 1894-95, estimated value.
			1893-94	1894-95	1893-94	1894-95	
Sproule-Hartsell	Hartsell Bros.	Raton, N. Mex.	5	3	350	250	$300
Blossburg	Raton Coal and Coke Co.	do	244	276	147,654	139,446	209,189
Smith	Henry Smith	do	3	9	1,106	2,281	3,260
Hunt J. A., No. 1	J. A. Hunt	do				Idle.	
Hunt J. A., No. 2	do	do			1,105	Idle.	

WELLS & PARKER MINE.

Located near White Oaks, Lincoln County, N. Mex. Owned and operated by E. W. Parker. Kind of coal, semibituminous; thickness of vein, 4 feet; output, 3,506 tons; estimated value of output, $16,000; average number of employees inside, 5; average number of employees outside, 1; length of slope, 425 feet.

The product of this mine is sold to the quartz mills and to the local domestic trade in the vicinity of the town of White Oaks. Is operated by a slope 425 feet long.

I have made no inspection of this mine, but have had correspondence with Mr. E. W. Parker. Analysis of this coal, as made by W. H. Potter, of St. Louis, Mo., is as follows:

Moisture	2.35
Volatile matter	35.53
Fixed carbon	50.24
Ash	11.88
	100.00
Sulphur	.61
Caloric power	11.756

Coal mines, Lincoln County.

Name of mine.	Name of operator.	Post-office.	Number of men 1894-95.	Number of tons mined, 1894-95.	Estimated value.
Wells & Parker	E. W. Parker	White Oaks	6	3,506	$16,000

MONERO MINE.

Located at Monero, Rio Arriba County, N. Mex. Owned and operated by Pascal Craig. Kind of coal, bituminous; thickness of vein, 4 feet; output, 15,000 tons; estimated value of output, $15,000; average number of employees inside, 10; average number of employees outside, 5; length of slope, 1,200 feet; improvements, $2,000.

The product of this mine is sold to the Denver and Rio Grande Railroad. Is operated by a slope 1,200 feet in length, and has a capacity of 100 tons per day. Ventilated by a furnace.

RECORD OF INSPECTION.

Inspected August 27, 1894: The mine was not in operation on account of the superintendent and pit boss being away; I employed one of the miners to go through the mine with me. At the first parting in the main slope I found that the curtain placed to force the air into the first right entry was in very poor condition. I examined the second outlet and found that very few of the miners could find their way out in case of an accident. I also found that the stack over the furnace shaft was in bad condition. On my return home I wrote Mr. Craig the following letter:

"SILVER CITY, N. MEX., *September 5, 1894.*

"PASCAL CRAIG,

"*Superintendent Monero Mine, Monero, N. Mex.*

"DEAR SIR: I was at your mine on the 27th of August, but found that you and the pit boss were away. On inspection I found that the curtain placed at the first parting in the main slope, intended to turn the air current into the first right entry, was in very poor shape, and you must put a new curtain in that place; I also found that the second outlet was in bad condition, and doubt if the miners could find their way out in case of an accident in the mine; you must put in props every 50 feet the entire length of this outlet and whitewash them so that they can be plainly seen. You must also batten up the stack over the furnace shaft from bottom to top so as to get a better draft through the furnace shaft. Please comply with these requests and notify me when you have completed these repairs. Advise me when you commence operations in the mine.

"Very respectfully, etc., JOHN W. FLEMING,

U. S. Coal Mine Inspector for New Mexico."

Inspected January 15, 1895: I measured 10,138¾ cubic feet of air entering the mine per minute, and 9,800 cubic feet of air returning through the return air course. Found the men in rooms Nos. 4 and 5, on the right of the slope in No. 2 entry, working ahead of the air. I ordered crosscuts driven between the rooms to force air to the working places; I also ordered Pascal Craig, general manager, to furnish the miners with more props, and instructed the miners to use more of them. A new Hendrie & Bolthoff boiler 12 feet by 4 feet 4 inches has been put in to replace the old boiler. Production about 70 tons per day. Twenty-five men were employed in and about the mine.

Inspected May 21, 1895: I measured 10,560 cubic feet of air entering the mine per minute, and 7,492½ cubic feet of air returning through the return air course. I found the door on No. 1, left entry, broken, allowing the air to escape before reaching the working places. I ordered the superintendent to have it repaired as soon as possible, which he assured me would be done. Production at this date was about 50 tons per day. There were 14 men employed in the mine.

REMARKS.

It is almost an impossibility to receive any answer to any correspondence addressed to Mr. Pascal Craig, and he is very slow in complying with the suggestions offered by me, and in obeying the orders given by me in the prosecution of my duties as mine inspector.

RAY MINE.

[David Ray, superintendent.]

Located one-fourth of a mile north of Monero, Rio Arriba County, N. Mex. Owned and operated by the Monero Coal and Coke Company. Kind of coal, bituminous; thickness of vein, 3 feet; output, 5,000 tons; estimated value of output, $5,000; average number of employees inside, 3; average number of employees outside, 2; length of slope, 300 feet.

The product of this mine is sold to the Denver and Rio Grande Railroad. Is operated by a slope 300 feet in length and has a capacity of about 30 tons per day. Ventilated by a furnace.

RECORD OF INSPECTION.

Inspected August 26, 1894: I measured 6,722 cubic feet of air entering the mine per minute; found it well distributed throughout the workings of the mine in compliance with the law. I found the second outlet had been driven 75 feet, but work was stopped on account of low coal; I ordered the work pushed on this outlet. The working places I found in good condition. Production about 30 tons per day.

Inspected January 17, 1895: I measured 3,575 cubic feet of air entering the mine, and 3,565 cubic feet of air returning through the return air course. On this inspection the mine was not being worked; the second outlet had been completed; the mine and machinery were in good condition.

SIMERS MINE.

[F. M. Simers, superintendent.]

Located at Monero, Rio Arriba County, N. Mex. Owned and operated by F. M. Simers. Kind of coal, bituminous; thickness of vein, 3 feet 4 inches; output, 852 tons; estimated value of output, $1,050; average number of employees inside, 4; average number of employees outside, 1; length of slope, 350 feet.

The product of this mine is sold to the Denver and Rio Grande Railroad. Is operated by a slope 350 feet in length; capacity of production about 10 tons per day. Ventilated by a furnace.

RECORD OF INSPECTION.

Inspected January 16, 1895: I measured 3,500 cubic feet of air entering the mine per minute, and 3,479 cubic feet of air returning through the return air course. The mine was in good condition. At the time of my visit there were only 3 miners working. The production was about 10 tons per day.

Inspected May 22, 1895: I measured 3,015 cubic feet of air per minute entering the mine, and measured 2,000 cubic feet of air per minute returning through the return air course. The mine was in good condition.

Coal mines, Rio Arriba County.

Name of mine.	Name of operator.	Post-office.	Number of men.		Number of tons mined.		Product, 1894-95, estimated value.
			1893-94.	1894-95.	1893-94.	1894-95.	
Monero	Monero Coal and Coke Co.	Monero, N. Mex	25	15	18,720	15,000	$15,000
Ray	Ray	do	5	5	3,350	5,000	5,000
Simers	Marion Simers	do	3	5	723	852	1,050

LUCAS MINE.

[James Duggan, superintendent; William Brown, pit boss.]

Located 3 miles south of Cerrillos, Santa Fe County, N. Mex. Owned and operated by the Cerrillos Coal Railroad Company. Kind of coal, anthracite; thickness of vein, 3 feet 8 inches; output, 30,000 tons; estimated value of output, $45,000; average number of employees inside, 225; average number of employees outside, 60; length of slope, 1,150 feet.

This mine is situated on a branch of the Atchison, Topeka and Santa Fe Railroad, connecting with the main line at Waldo. The product is shipped to various points along the line of the Atchison, Topeka and Santa Fe Railroad. Is operated by a slope 1,150 feet in length; capacity of production about 450 tons per day. Ventilated by a double 6-foot Murphy fan.

RECORD OF INSPECTION.

Inspected August 30, 1894: I measured 10,650 cubic feet of air per minute entering the mine, and found it well distributed throughout the workings of the mine, except the third right entry. Upon investigation I found that the first right entry was receiving a larger amount of air than necessary for the number of men employed therein. I ordered a curtain placed across this entry to divert a portion of the air to No. 3, right entry. I found the workings of the mine and the machinery in good condition. On this visit 100 miners were employed in the mine.

Inspected September 29, 1894: I measured 20,292 cubic feet of air entering the mine per minute, and measured 21,600 cubic feet of air returning through the return air course. On this visit I found the air distributed throughout the workings in compliance with the law. I found some loose stones hanging from the roof of the main slope and ordered the pit boss to have them taken down and the place timbered.

Inspected December 6, 1894: On this visit there were only 4 men working in the mine, timbering and laying track. I inspected the workings of the mine and found them in good condition.

MILLER GULCH MINE.

[Robert T. Herreke, superintendent; Richard Owens, pit boss.]

Located 3 miles south of Cerrillos, Santa Fe County, N. Mex. Owned and operated by the Cerrillos Coal Railroad Company. Kind of coal, bituminous; thickness of vein, 3 feet; output, 15,000 tons; estimated value of output, $45,000; average number of employees inside, 125; average number of employees outside, 50; length of slope, 900 feet.

Located on a branch of the Atchison, Topeka and Santa Fe Railroad, connecting with main line at Waldo. The product is sold to the Atchison, Topeka and Santa Fe Railroad Company, and a portion made into coke; is operated by a slope 900 feet in length; has a capacity of about 100 tons per day. Ventilated by a double Murphy 6-foot fan.

RECORD OF INSPECTION.

Inspected September 28, 1894: I measured 10,230 cubic feet of air entering the mine per minute, and measured 11,685 cubic feet of air returning through the return air course. Found the air distributed throughout the workings of the mine in compliance with the law. I found the mine and the machinery in good condition.

Inspected December 8, 1894: On this date the mine was not being operated. I inspected the workings of the mine and found them in good condition, as was also the machinery. An old slope 900 feet south of the main slope had considerable water in it, and was being pumped out preparatory to being used in connection with the main workings as soon as cleared of water.

O'MARA MINE.

[Michaels & O'Gara, lessees.]

Located 12 miles southeasterly from Cerrillos, Santa Fe County, N. Mex. Operated under lease by Michaels & O'Gara. Kind of coal, bituminous; thickness of vein, 4 feet 3 inches; output, 14,000 tons; estimated value of output, $22,000; average number of employees inside, 8; average number of employees outside, 3; length of slope, 500 feet.

Very little work is being done on this mine, on account of distance to the railroad, it being 8 miles. Is operated by a slope 500 feet in length; capacity about 10 tons per day. Ventilated by an air shaft.

RECORD OF INSPECTION.

Inspected December 10, 1894: I measured 4,125 cubic feet of air entering the mine per minute, and 4,375 cubic feet of air returning through the return air course; found a deficiency of air in the first right entry; ordered a curtain put in the main slope to force air to that place. The production is about 10 tons per day when the mine is being operated.

WHITE ASH MINE.

Located 2½ miles south of Cerrillos, Santa Fe County, N. Mex. Owned and operated by the Cerrillos Coal Railroad Company. Kind of coal, bituminous; thickness of vein, 5 feet 6 inches; output, 150,000 tons; estimated value of output, $225,000; average number of employees inside, 300; average number of employees outside, 50; length of slope, 3,000 feet; improvements, $1,000.

This mine is situated on a branch of the Atchison, Topeka and Santa Fe Railroad, connecting with main line at Waldo station. The product is sold to the Atchison, Topeka and Santa Fe Railroad Company and the Mexican Central Railroad. Is operated by a slope 3,000 feet in length; capacity of production about 700 tons per day; ventilated by a 15-foot Guibal fan.

RECORD OF INSPECTION.

Inspected July 24, 1894: The mine was not in operation on account of the men being out on a strike since June 1. I inquired among the miners as to the cause of the strike; they told me that they had no grievance but were in sympathy with the Colorado and Eastern miners, and as soon as the differences in those places were settled they would return to work. The fan was running and I measured 13,650 cubic feet of air entering the mine per minute, which was well distributed throughout the mine. I also measured 13,500 cubic feet of air returning through the return air course. According to my suggestions on May 29, the company had made many improvements by putting in doors and closing all places along the main slope where air escaped. There were four men at work in the mine, keeping the water out and timbering the places that required it. The superintendent informed me that he was doing everything in his power to put the mine in excellent condition.

Inspected August 30 and 31, 1894: I measured 32,400 cubic feet of air entering the mine per minute, and measured 42,000 cubic feet of air per minute returning through the return air course. The discrepancy of air entering and returning out of the mine is probably caused by cracks or fissures extending from the surface to the old workings. I found an excellent increase in the amount of air in the sixth right entry; formerly I could measure but 1,762¼ cubic feet of air in this entry, while on this inspection I measured 4,320 cubic feet of air; also at last return in sixth right entry my former measurement was but 3,062½ cubic feet of air; at this inspection I measured 7,440 cubic feet.

Inspected September 29, 1894: On this date the mine was not being operated on account of scarcity of orders for coal. The fan was running and I took air measurements; found 34,320 cubic feet of air entering the mine per minute and 40,000 cubic feet of air returning through the return air course. I found the air distributed throughout the workings of the mine in compliance with the law. Since my last inspection I noted that great improvements had been made in the timbering of the mine in all required places.

Inspected December 5, 1894: I measured 31,980 cubic feet of air entering the mine per minute, and 37,620 cubic feet of air returning through the return air course; found the air distributed throughout the workings of the mine in compliance with the law. Found a place in the roof of No. 2 right entry which I considered unsafe; ordered the pit boss to timber it up at once. He informed me that he would put men to work to timber it that night.

Inspected December 7, 1894: I again visited the mine and found that the timbering ordered in No. 2 right entry had been completed as ordered on December 5. I inspected Nos. 3, 4, and 5 left entries. The men at the face of No. 3 entry were working ahead of the air; I ordered a brattice cloth put up to force air to the face of the entry; the work was begun at once. On this visit there were 183 men employed in and about the mine.

Inspected January 24, 1895: I found that the fan was running 75 revolutions per minute; measured 45,120 cubic feet of air per minute entering the mine and 42,900 cubic feet of air returning through the return air course; the air was distributed throughout the workings of the mine in compliance with the law. The workings of the mine were in good condition, as was also the machinery used for hoisting purposes. On this date the production was about 700 tons. There were 210 persons employed in and about the mine.

Inspected February 27, 1895: I arrived at the White Ash mine for the purpose of inspection. When I arrived at the mine I asked the superintendent, James Duggan, about the condition of the mine. He informed me that it was never better; that he had been in the mine every day for eight or ten days past and had taken air measurements and found the ventilation to be better than ever before. Upon my request that we proceed into the mine for its inspection, stated that he was required to go to the coke ovens of the company at Waldo, about 2½ miles distant, and would return at noon time, when we would go into the mine. During his absence I inspected the hoisting and other machinery, and the ropes, cars, dumping facilities, etc., on the outside of the mine. I then went to the office of the company physician and inquired of him whether there had been any accidents since my last inspection of the mine, on January 24. He replied that there had been two very slight ones. While I was in his office a man rushed in and informed us that there had just been an explosion in the mine. This was at 11 a. m. by my time. I immediately went to the mine and went down the slope as far as the third left entry and attempted to enter therein, but was prevented by the accumulation of choke damp, which always follows an explosion of gas, as this was; then I proceeded to the entrance to the fourth left entry, but was prevented from entering that entry for the same reason. I then returned to the mouth of the slope and ordered men to procure canvas and place it across the main slope below the fourth left entry so that all air would be

forced direct to that entry in which the explosion evidently had occurred. This was done, and was followed up by placing canvas in the crosscuts from which the brattices had been blown out by the force of the explosion, circulation of air being thus procured directly through the fourth left entry. Exploring parties were at onced organized and followed the air in search of the men who were at work in that level when the explosion occurred. This was about 2 p. m. The work of driving the smoke and choke damp out of that level was slow, and the work of exploring the entire level was not completed until about 11 p. m., when the last of 23 bodies were taken to the surface. One man was killed by concussion in third left entry, making 24 killed in all. None were injured. A few of the men employed in other levels were stunned or overcome by choke damp, but speedily recovered. About 125 men were at work in the mine at the time, and the superintendent and his subordinates took every precaution and used every means for the rescue of the men, resulting in the prompt rescuing and revival of all who had been either stunned by the concussion or overcome by the choke damp. [Note.—For further and complete report of this explosion see "Report of explosion White Ash mine," page 53.]

Inspected March 11, 1895: The fire boss and myself made a thorough inspection of all entries, rooms, and air courses on the left of the main slope. I measured 33,992½ cubic feet of air entering the mine per minute and found the same distributed throughout the workings of the mine in compliance with the law. The miners in No. 6 main entry were working too far ahead of the air. I ordered a crosscut driven between the main and back entries, to force the air to the face of the workings. I found some loose rock hanging from the roof in No. 3 left entry; ordered them taken down and the place timbered. I found some water standing in the main air course of Nos. 3 and 4 left entries, which I ordered drained as soon as possible. On this date I found no marsh gas or fire damp.

Inspected March 12, 1895: I again inspected the mine. Made a thorough inspection of all entries, rooms, and air courses on the right of the main slope and took air measurements. The fan was running 74 revolutions per minute. I measured at the overcast in the main slope 32,130 cubic feet of air per minute entering the mine and 48,510 cubic feet of air returning through the return air course. The overcast is 900 feet from the mouth of the slope; therefore the discrepancy of air must have been caused by the explosion of February 27, thereby loosening the stoppings between the overcast and the mouth of the slope. I ordered the superintendent to examine all stoppings along the slope and have them made air-tight. I found a small quantity of marsh gas or fire damp in room No. 2 sixth right entry, off the plane; a canvas was put up to force air to the place where the gas was generating and expel it from the room; found the door on No. 4 right entry allowed air to escape; ordered the pit boss to have it repaired as soon as possible. I found the air courses in fair condition. On this visit 8 men were employed on the right of the slope and 51 on the left.

Inspected March 28, 1895: I found some timbers in Nos. 2, 3, and 4 right entries broken; ordered the pit boss to have new timbers put in at once.

Inspected March 29, 1895: I measured 29,949½ cubic feet of air entering the mine per minute and measured 35,620 cubic feet of air returning through the return air course. I also took air measurements in Nos. 2, 3, 4, 5, 6, and 7 left cross entries, and found a sufficient amount of air traveling to comply with the law. I found the entries and working places free from gas; the roof in one place in No. 4 left entry was not in good condition; I ordered the pit boss to have the place timbered; I also ordered the pit boss to have some water I found in the air course of No. 3 left entry drained. On this date the production was about 500 tons. Two hundred and eight persons were employed in and about the mine.

Inspected April 22, 1895: I inspected the main hauling slope and Nos. 5, 6, and 7 left entries; measured 30,915 cubic feet of air entering the mine per minute. One of the crosscuts between No. 6 front and back entries was not closed air tight, which allowed a large portion of air to escape before reaching the last crosscut; I ordered it bratticed up and made air-tight.

Inspected April 23, 1895: I inspected all of the working places and took air measurements. I found sufficient air traveling to comply with the law. I measured 32,640 cubic feet of air returning through the return air course. The bell used for signaling to the engineer was not working satisfactorily; I ordered a new one put in. On this date the production was about 600 tons. The mine was in fair condition. Two hundred and seventeen persons were employed in and about the mine.

Inspected May 16, 1895: I measured 30,173 cubic feet of air entering the mine per minute and 34,810 cubic feet of air returning through the return air course; found it well distributed throughout the workings of the mine in compliance with the law. The production was about 600 tons. Two hundred and sixteen persons were employed in and about the mine.

Inspected June 18, 1895: I measured 22,960 cubic feet of air per minute entering the mine, and 28,050 cubic feet of air returning through the return air course; found

the same distributed throughout the workings of the mine in compliance with the law. Production about 650 tons per day. The mine was in good condition, also the machinery used for hoisting purposes. One hundred and ninety-seven persons were employed in and about the mine.

Coal mines, Santa Fe County.

Name of mine.	Name of operator.	Post-office.	Number of men.		Number of tons mined.		Estimated value.
			1893-94.	1894-95.	1893-94.	1894-95.	
White Ash	Cerrillos Coal R.R. Co	Cerrillos, N. Mex.	276	350	140,000	150,000	$225,000
Lucas	do	do	213	285	20,000	30,000	45,000
Waldo	do	do	96		15,815	Idle.	
Miller Gulch	do	do	55	175	15,231	15,000	22,500
Green & Bailey	do	do	12		480	Idle.	
O'Mara	Michaels & O'Gara	do		8		14,000	22,000

CARTHAGE MINE.

[Felipe Porgliati, manager.]

Located 12 miles in a southeasterly direction from the town of San Antonio, Socorro County, N. Mex. Owned and operated by Felipe Porgliati. Kind of coal, bituminous; thickness of vein, 4 feet 6 inches; output, 486 tons; estimated value of output, $720; average number of employees inside, 5; average number of employees outside, 2; length of slope, 1,100 feet.

The product of this mine is retailed in Socorro, San Marcial, and El Paso, Tex., is operated by a slope 1,100 feet in length, and has a capacity of about 10 tons per day; ventilated by an air shaft.

RECORD OF INSPECTION.

Inspected December 12, 1894: I measured 3,525 cubic feet of air entering the mine per minute, and 3,760 cubic feet of air returning through the return air course. I found the mine in good condition.

REMARKS.

This is the only coal mine that has been working in Socorro County since my appointment as coal mine inspector.

Coal mines, Socorro County.

Name of mine.	Name of operator.	Post-office.	Number of men.		Number of tons mined.		Product, 1894-95, estimated value.
			1893-94.	1894-95.	1893-94.	1894-95.	
Carthage Coal Co	Felipe Porgliati	Carthage, N. Mex.		7		486	$720

SUMMARY.

[A summarization of the statistics given for each county, in order that a comprehensive view of the industry for the entire Territory may be had.]

The first table relates to the number of employees, and is as follows:

County.	Number of miners.	Number of boys.	Number of day men.	Total.
Bernalillo	443	8	64	515
Santa Fe	646	9	163	818
Colfax	246	7	35	288
Rio Arriba	17		8	25
Lincoln	5		1	6
Socorro	5		2	7
Total	1,362	24	273	1,659

In the column headed "Day men" are included all men employed around the mines in any capacity except actual mining.

In 1894 (fiscal year) the total number of employees returned to this office was 1,659, showing a gain of 187.

Output of coal reported to this office for the fiscal year ending June 30, 1895.

County.	Output for fiscal year.	Estimated value	Per cent of output for Territory.
	Tons.		
Bernalillo	297,429	$417,500	44.179
Santa Fe	209,000	314,500	31.058
Colfax	141,987	213,839	21.074
Rio Arriba	20,852	21,050	3.074
Lincoln	3,506	16,000	.533
Socorro	486	720	.062
Total	673,260	983,609	100

PRODUCTION OF COKE IN SANTA FE COUNTY.

The total amount of coke produced in this Territory for the year ending June 30, 1895, as reported to this office, was 11,000 tons.

The Cerrillos Coal Railroad Company (at Waldo), Cerrillos, Santa Fe County, N. Mex., has 50 coke ovens, and is the only company reported as making this product.

The product of these ovens is sold in El Paso, Tex., to the Consolidated Kansas City Smelting and Refining Works, and to the Arizona Copper Company, Limited, of Clifton, Ariz.

ACCIDENTS.

During the fiscal year ending June 30, 1895, 28 deaths occurred in and around the coal mines of the Territory.

The total output for the fiscal year was 673,260 tons. Twenty-eight fatal accidents would give a ratio of 24,045 tons of coal mined to every fatal accident.

Of the 28 fatalities, 24 were caused by one gas explosion, 2 by falls of rock, 1 by fall of top coal, and 1 by being run over by the cars.

The fatal accidents were more than double those of the preceding year, which were 12.

There were 18 nonfatal accidents. Three were from falls of slate, 5 from falls of coal, 2 from falls of rock, 8 from miscellaneous and minor causes. The majority of the nonfatal accidents were of a minor nature. During the preceding year there were 66 nonfatal accidents.

The locality, date, etc., of the fatal and nonfatal accidents reported to me as mine inspector are shown in the following tables:

NONFATAL ACCIDENTS.

Tabulated report by United States mine inspector of nonfatal accidents during fiscal year ending June 30, 1895.

Where accident occurred.	Date.	Name.	Character of injury.	Cause.
White Ash mine, Cerrillos Coal Railroad Co., Cerrillos.	Sept. 1, 1894	John Gallagher...	Face, neck, hands, and back burned.	Gas explosion.
Do	Sept. 27, 1894	Robert Luper.....	Contusion hips, bowels, and bladder.	Squeezed by water car.
Do	Dec. 11, 1894	John McClure....	Crushed ankle and foot.	Caught in rope.
Do	May 22, 1895	Alex. Chistony...	Fracture left arm...	Hang-fire shot.
Miller Gulch mine, Cerrillos Coal Railroad Co., Cerrillos.	Sept. 4, 1894	A. J. Bailey.....	Sprain.....	Bending rail.
Do	Sept. 8, 1894	John Mayninoy...	Bruised.....	Fall of slate.
Lucas mine, Cerrillos Coal Railroad Co., Cerrillos.	Oct. 16, 1894	B. Battistesse.....	Head cut, shoulder sprained.	Checking speed of car.
Do	Oct. 12, 1894	Wm. Matney.....	Leg broken.....	Fall of slate
Caledonian mine, Caledonian Coal Co., Gallup.	Nov. 24, 1894	Jas. Berali.....	Foot bruised.....	Fall of coal.
Do	Nov. 26, 1894	Chris Smythe.....	Leg bruised.....	Fall of slate.
Do	Dec. 10, 1894	John Whimeal....	Bruised.....	Falling prop.
Do	Dec. 19, 1894	Mack Clark.....	Head cut.....	Fall of rock.
Do	Mar. 26, 1895	Dan McGuire.....	Rib broken.....	Fell down.
Black Diamond mine, Crescent Coal Co., Gallup.	Apr. 5, 1895	John Maxwell....	Collar bone broken..	Fall of coal.
Sunshine mine, Crescent Coal Co., Gallup.	Oct. 11, 1894	J. Teeman.....	Left leg broken.....	Do.
Do	June 19, 1895	Jas. McQueeney..	Right arm taken off.	Run over by cars.
Gallup mine, Crescent Coal Co., Gallup.	Oct. 18, 1894	Joseph Rusen.....	Leg broken.....	Fall of coal.
Do	Nov. 26, 1894	Wm. Cowton.....	Finger taken off....	Fall of rock.
Do	Apr. 12, 1895	Pablo Savis.....	Arm broken.....	Fall of coal.

RECORD OF NONFATAL ACCIDENTS.

September 1, 1894.—At White Ash mine, Cerrillos Coal Railroad Company, Madrid, Santa Fe County, N. Mex., John Gallagher was severely burned on face, neck, back, both arms, and hands. Cause: There was a small showing of gas in the room where he was working; Gallagher was given a safety lamp and told to use it; he failed to obey the instructions given him, and went in with an open lamp, igniting the gas, with above results.

September 27, 1894.—At No. 1 B, White Ash mine, Robert Luper sustained severe contusion of hips, bowels, and bladder, caused by being squeezed between a water car and the rib of the entry.

December 11, 1894.—At No. 1 B, White Ash mine, room 10, third left entry, John McClure had his right foot and ankle crushed, making it necessary to amputate right foot. McClure was letting down a loaded car from his room to main entry, when his right foot was caught in a coil of rope, which had been wound around a prop to hold the car while dropping it down; the rope slipped out of his hand, and his foot was caught between the rope and prop.

May 22, 1895.—At No. 1 B, White Ash mine, room No. 19, fourth left entry, Alex. Chistony sustained fracture of the left bone (humerus) in upper third of left arm, shattering the bone; compound fracture; four inches of the bone removed. Cause: He was firing a shot, which he supposed had gone off, but it had not, and he returned to his room just as it went off, knocking him over, and probably against a loaded pit car.

September 4, 1894.—At No. 2 A, Miller Gulch mine, Cerrillos Coal Railroad Company, Waldo, Santa Fe County, N. Mex., back slope, A. J. Bailey sustained a sprain of the muscles of the back. Cause: He was in the act of bending a rail, when it slipped, causing him to fall and sprain his back.

September 8, 1894.—At No. 2 A, Miller Gulch mine, back entry, room No. 3, John Mayninoy sustained a severe bruise across the small of the back and abdomen. Cause: A fall of slate in between two slips.

October 16, 1894.—At No. 1 C, Lucas mine, Cerrillos Coal Railroad Company, Madrid, Santa Fe County, N. Mex., B. Battistesse sustained a severe cut under the eye and side of cheek and two cuts on back of head, bruising of shoulder, and sprained back. Cause: He was pushing a loaded car to the place and it got away from him, and he was in front of it trying to stop it, when he fell and the car went over him. This accident occurred in room No. 2, off plane 2, left entry.

October 12, 1894.—At No. 1 C, Lucas mine, Madrid, N. Mex., No. 2 right entry, William Matney sustained severe contusion of the back and fracture of the right leg above the knee. Cause: He was about setting up a machine, when a piece of draw slate weighing some 500 pounds fell right at the face of the entry, striking him on his back, and he being in a sitting position the slate fell in such a way as to fracture his leg.

November 24, 1894.—At No. 1, Caledonia mine, Caledonian Coal Company, Gallup, Bernalillo County, N. Mex., in entry No. 3, south room No. 7, James Beralle had his foot bruised. Cause: Fall of coal.

November 26, 1894.—At No. 4 south entry, Caledonia mine, Charles Smythe sustained slight bruise on leg. Cause: A fall of draw slate slipped off the entry, striking his leg.

December 10, 1894.—At No. 4 south entry, Caledonia mine, John Whimeal sustained bruise on side and back. Cause: One trip of cars went off the track and knocked out a prop; the prop struck him and bruised his side and back.

December 19, 1894.—At No. 4 south entry, Caledonia mine, room No. 7, Mack Clark had his head cut. Cause: He was loading a car of coal and had not examined the roof, and when so doing a piece of rock fell from roof, striking him on the head.

March 26, 1895.—At No. 4 south entry, Caledonia mine, room No. 6, Dan McGuire sustained broken rib. Cause: He was removing the car from the face of the room to switch, his foot slipped, his side came in contact with the bumper of the car, breaking one rib.

April 5, 1895.—At Black Diamond mine, Crescent Coal Company, Gallup, Bernalillo County, N. Mex., in the main entry, John Maxwell had his collar bone broken while undermining coal, a piece of coal falling on him.

October 11, 1894.—At Sunshine mine, Crescent Coal Company, Gallup, Bernalillo County, N. Mex., in entry No. 4, room No. 4, John Teeman sustained a multiple fracture of left leg. Cause: It appears that this man, together with his partner, had cut and mined a block of coal and was in the act of leading up his car when the coal in the face of the room burst out and struck him on the leg.

June 19, 1895.—At Sunshine mine, entry No. 2, James McQueeney had his right arm taken off. Cause: He was coming out of the entry with two loaded cars; he stumbled and fell in front of the cars, the loaded cars passing over his right arm, necessitating amputation.

October 18, 1894.—At Gallup mine, Crescent Coal Company, Gibson, Bernalillo County, N. Mex., at entry No. 11, room No. 18, Joseph Kusen was undermining a hanging shot of coal. Cause: A small piece broke off, striking him and breaking one bone in his leg.

November 26, 1894.—At Gallup mine, cross entry, No. 11, William Clowton had his front finger taken off. Cause: A piece of loose side rock fell and struck his finger, which was resting on the pit car.

April 12, 1895.—At Gallup mine, entry No. 14, right, room No. 28, Pablo Savio sustained a broken arm. Cause: A small piece of coal fell, striking him on the arm, breaking it.

Referring to the nonfatal accident sustained by James Gallagher on the 1st day of September, in the White Ash mine, gas burn, I herewith show copies of the correspondence between myself and the superintendent of the White Ash mine:

SILVER CITY, N. MEX., *September 11, 1894.*

JAMES DUGGAN, Esq.,
Superintendent White Ash Mine, Madrid, N. Mex.

SIR: I am just in receipt of your accident report, stating that James Gallagher was severely burned by igniting the gas, and I very much regret having this accident occur. I want you to run the fan up to 100 revolutions per minute and ascertain if it will keep the gas driven from the mine. One thing is certain, if plenty of fresh air is constantly kept circulating throughout the workings of the mine the gas will not accumulate in quantities to endanger the lives of the miners. I also want you to put on another fire boss, with the one that you already have, to go through the mine in the morning. Let one boss take the right and the other the left of the slope, and let them have a place to meet in the slope after they have made a thorough inspection of the workings of the mine, and if any place shows to be generating fire damp, have the fire bosses instructed to see that the party who works where the fire damp is generating is furnished with a safety lamp and instructed to use the same. Every precaution must be taken, and I am satisfied that by speeding your fan up as

suggested you will find a much larger volume of air traveling and less gas will accumulate. Please notify me as soon as you have complied with my request. I would start for the mine, but I have sent my anemometer to Pittsburg to have it regulated, and just as soon as it returns I will start for the mine.

Yours, respectfully,

JOHN W. FLEMING,
United States Coal Mine Inspector for New Mexico.

The following reply was received to the above letter:

LOS CERRILLOS, N. MEX., *September 20, 1894.*

JOHN FLEMING,
United States Mine Inspector.

SIR: Yours of the 11th received in due time, and in reply will say that, as you requested, I put on another fire boss and had the men use safety lamps where there is gas of any consequence. I ordered a lot of safety lamps some three weeks ago, and as soon as they reach here I will have the men use them in places wherever there is the slighest danger of gas igniting. In regard to running the fan up to 100 revolutions per minute, will say that under the present condition of the stopings in the slope—that is, from the mouth of the slope down to the overcast air way—there are a great many leaks; while they are all small, they are numerous, and in order to make them airtight new stopings must be put in, which will take some time, but I will have it done just as soon as possible; so that speeding up the fan will practically have no effect in increasing the quantity on the returns near the bottom of the slope, but draw all the more in the short returns of leaky stopings in the upper part of the slope. I have taken measurements of air every day this week in the White Ash mine, and I find that the intake on the slope above overcast is about 28,000 cubic feet, and about 13,000 cubic feet on the slope below sixth entries before splitting and 43,000 cubic feet on return at the fan. We are taking every precaution to avoid these periodical burns. Trusting that this statement is satisfactory to you, I remain,

Yours, respectfully, JAMES DUGGAN.

In answer to the foregoing letter I replied as follows:

SILVER CITY, N. MEX., *September 29, 1894.*

JAMES DUGGAN, Esq.,
Superintendent White Ash Mine, Los Cerrillos, N. Mex.

SIR: Your letter bearing date of September 20 is duly to hand and contents noted. I am pleased to know that you have complied with my request, and in regard to speeding the fan up to 100 revolutions per minute I wish you would try the experiment, measure the air down the sixth right and left returns when the fan is running at its regular speed, and afterwards have the fan speeded up to 100 revolutions and again take measurements at the same places, and you can ascertain the difference; I think you will find considerable more air traveling when the fan is running at a high speed than at a lower one. I expect to start for the mine in a few days.

Yours, very respectfully,

JOHN W. FLEMING,
United States Coal Mine Inspector for Territory of New Mexico.

FATAL ACCIDENTS.

Tabulated report by United States mine inspector of fatal accidents during fiscal year ended June 30, 1895.

Where accident occurred.	Post-office.	Date of accident.	Date of death.	Name.	Cause.
White Ash mine, Cerrillos Coal Railroad Co.	Cerrillos, N. Mex.	Aug. 13, 1894	Aug. 29, 1894	Clovis Deboute	Fall of rock.
Do	do	Feb. 27, 1895	Feb. 27, 1895	Andrew Kelley	Gas explosion.
Do	do	do	do	Simon James	Do.
Do	do	do	do	Simon Hardesty	Do.
Do	do	do	do	Wm. H. Jones	Do.
Do	do	do	do	Louis Beck	Do.
Do	do	do	do	Henry Harban	Do.
Do	do	do	do	Roy Phillips	Do.
Do	do	do	do	Wm. Ellingsworth	Do.
Do	do	do	do	Marion Ellingsworth	Do.
Do	do	do	do	George Speight	Do.
Do	do	do	do	John Donohue	Do.
Do	do	do	do	Michael Ryan	Do.
Do	do	do	do	John Flick	Do.
Do	do	do	do	J. T. McCart	Do.
Do	do	do	do	Hugh Sweeney	Do.
Do	do	do	do	Thomas White	Do.
Do	do	do	do	Jonn Eathorn	Do.
Do	do	do	do	August Leplat	Do.
Do	do	do	do	Julius Disarant	Do.
Do	do	do	do	Henry Disarant, sr.	Do.
Do	do	do	do	Henry Disarant, jr.	Do.
Do	do	do	do	Angelo Rufatti	Do.
Do	do	do	do	Richard Deiro	Do.
Do	do	do	do	Stephen Grugibic	Do.
Do	do	May 9, 1895	May 9, 1895	Martin Cameleta	Fall of rock.
Gallup mine, Crescent Coal Co.	Gallup, N. Mex.	Dec. 24, 1894	Dec. 27, 1894	James Hennessey	Run over by cars.

RECORD OF FATAL ACCIDENTS.

WHITE ASH MINE, CERRILLOS COAL RAILROAD COMPANY, CERRILLOS, SANTA FE COUNTY, N. MEX.

August 13, 1894.—Clovis Deboute was injured across the back, producing a fracture of the eleventh dorsal and first lumbar, by a fall of rock. From the effects of these injuries he died on the 29th day of August, 1894.

February 27, 1895.—

KILLED BY GAS EXPLOSION.

[Numbers 1, 2, 3, etc., refer to places at which men were killed. See map of White Ash mine.]

(1) Roy Phillips—at No. 1 B, fourth left entry, room 18.
(2) Angelo Rufatti—at No. 1 B, fourth left entry, room 18.
(3) Henry Disarant, sr.—at No. 1 B, fourth left entry, room 17.
(4) Henry Disarant, jr.—at No. 1 B, fourth left entry, room 17.
(5) Julius Disarant—at No. 1 B, fourth left entry, room 17.
(6) Hugh Sweeney—at No. 1 B, fourth left entry, room 16.
(7) George Speight—at No. 1 B, fourth left entry, room 16.
(8) Mike Ryan—at No. 1 B, fourth left entry, room 15.
(9) Steve Grugibic—at No. 1 B, fourth left entry, room 15.
(10) Simon James—at No. 1 B, fourth left entry, room 14.
(11) August Leplat—at No. 1 B, fourth left entry, room 14.
(12) J. T. McCart—at No. 1 B, fourth left entry, room 13.
(13) Samuel Hardesty—at No. 1 B, fourth left entry, room 13.
(14) Marion Ellingsworth—at No. 1 B, fourth left entry, room 12.
(15) William Ellingsworth—at No. 1 B, fourth left entry, room 12.
(16) Andrew Kelley—at No. 1 B, fourth left entry, room 8.
(17) John Flick—at No. 1 B, fourth left entry, room 8.
(18) John Donohue, pit boss—at No. 1 B, fourth left entry, between rooms 11 and 12
(19) John Eathorn—at No. 1 B, third left entry, opposite room 13.
(20) Richard Deiro—at No. 1 B, fourth left entry, opposite face of.
(21) Louis Beck—at No. 1 B, fourth left entry, slope parting.
(22) Henry Harban—at No. 1 B, fourth left entry, opposite room 14.
(23) William H. Jones—at No. 1 B, fourth left entry, opposite room 16.
(24) Thomas White—at No. 1 B, fourth left entry, face of.

Report of coroner's jury.

TERRITORY OF NEW MEXICO, *County of Santa Fe, ss:*

We, the coroner's jury duly impaneled and sworn by H. C. Kensell, justice of the peace and acting coroner, on the 28th day of February, 1895, to investigate the cause of the deaths of Louis Beck, James T. McCart, John Flick, August Leplat, Hugh Sweeney, W. H. Jones, Angelo Rufatti, S. C. Hardesty, Simon James, Marion Ellingsworth, William Ellingsworth, Henry Disarant, Henry Disarant, jr., Julius Disarant, John Donohue, John Eathorn, Andrew Kelley, Michael Ryan, Stephen Grugibic, Thomas White, Henry Harban, Roy Phillips, Richard Deiro, George Speight, who were found dead in precinct No. 7 of the county of Santa Fe, Territory of New Mexico, on the 27th day of February, A. D. 1895, having examined the bodies of the said persons, and having examined various witnesses as to the cause of their death, and having examined the White Ash coal mine, in said precinct and said county, in which their death occurred, do find that they met their deaths in the third and fourth cross entries from an explosion of gas and the effects of after damps; and we furthermore find that the explosion was caused by an insufficient amount of air passing through the air course of the fourth back entry on account of that air course being obstructed by water.

O. W. ALEXANDER, *Foreman*,
RICHARD GREEN,
M. B. BROWN,
D. L. MILLER,
W. C. ROGERS,
Jurors.

H. C. KINSELL, *Justice of the Peace.*

May 9, 1895.—At No. 1 B, Martin Cameleta was killed instantly by a fall of rock weighing probably 2 tons.

Coroner's inquest.

TERRITORY OF NEW MEXICO, *County of Santa Fe, ss:*

We, the undersigned justice of the peace and jury who sat upon the inquest held this 9th day of May, 1895, on the body of Martin Cameleta, found in precinct No. 7, county of Santa Fe, found that the deceased came to his death by reasons of being crushed by falling of rock in the White Ash mine.

A. L. KENDALL,
Justice of the Peace.

F. SHERBLEY,
CHAS. SNYDER,
FRED. DUNKEL,
ANT. BARTELOT,
JOHN PLAND,
E. SULLIVAN,
Jurors.

GALLUP MINE, CRESCENT COAL COMPANY, GIBSON, BERNALILLO COUNTY, N. MEX.

December 27, 1894.—James Hennessey; occupation, road man. Cause: He was attending an air door, and it is supposed that he fell asleep, awakened, in a stupor ran to open the door when too late; the empty trip was approaching him when he stumbled and fell; five empty cars (part of slope trip) passed over him, causing instant death.

Coroner's report.

TERRITORY OF NEW MEXICO, *County of Bernalillo, ss:*

Found that the deceased came to his death from injuries from a trip of cars striking him while going in the slope of the Gallup mine, thereby causing his death.

HUGH QUINN,
Justice of the Peace.

P. H. O'NEAL,
THOS. EDMUNDSON,
BEN LYRRD,
JOE BRENNAN,
J. M. O'NEAL,
E. STURGILL,
Jurors.

EXPLOSION (WHITE ASH MINE).

[Copy of special report.]

SANTA FE, N. MEX., *March 8, 1895.*

Hon. COMMISSIONER OF THE GENERAL LAND OFFICE,
Washington, D. C.

SIR: In the discharge of my duties as United States coal mine inspector for the Territory of New Mexico, I have to report to you that a very fatal explosion of gas occurred in the *White Ash* coal mine, at Cerrillos, N. Mex., about 11 a. m. on the

27th day of February, ultimo, the immediate result of which was the death of 24 men. The facts are as follows: On one of my tours of inspection of the coal mines of the northern part of the Territory I arrived at Cerrillos on the evening of the 26th of February, at 11 p. m. On the morning of the 27th I went out to the White Ash coal mine, about 2½ miles from the town. This mine is owned, as I understood, and is operated by the Cerrillos Coal Railroad Company. When I arrived there I asked the superintendent of the mine, James Duggan, about the condition of the mine, and he informed me that it was never better; that he had been in the mine every day for eight or ten days past and had taken air measurements and found that the ventilation was better than ever before. Upon my request that he proceed into the mine for its inspection, he stated that he was required to go to the coke ovens of the company at Waldo, about 2½ miles distant, and would return by noontime and we would go into the mine. During his absence I inspected the hoisting and other machinery and the ropes, cars, dumping facilities, etc., on the outside of the mine. I then went to the office of the company physician and inquired of him whether there had been any accidents since my last inspection of the mine on January 24, last. He replied that there had been two very slight ones.

While I was in his office a man rushed in and informed us that there had just been an explosion in the mine. This was at 11 a. m. (by my time). I immediately went to the mine and went down the slope as far as the third left entry and attempted to enter therein, but was prevented by the accumulation of choke damp, which always follows an explosion of gas, such as this was. Then I proceeded to the entrance to the fourth left entry, but was prevented from entering that entry for the same reason. I then returned to the mouth of the slope and ordered men to procure canvas and place it across the main slope below the fourth left entry so that all air should be forced into that entry, in which the explosion had evidently occurred. This was done, and was followed up by placing canvas in the crosscuts from which the brattices had been blown out by the force of the explosion. Circulation of air being thus procured directly through left fourth entry, exploring parties were organized and followed the air in search of the men who were at work in that level when the explosion occurred. This was about 2 p. m. The work of driving the smoke and choke damp out of that level was slow, and the work of exploring the entire level was not completed until about 11 p. m., when the last of 22 bodies were taken to the surface.

One man was killed by concussion in the third left entry, making 24 killed in all. None were injured. A few of the men employed in other levels were stunned or overcome by choke damp, but speedily recovered.

About 125 men were at work in the mine at the time, and the superintendent and his subordinates took every precaution and used every means for the rescue of the men, resulting in the prompt rescue and revival of all who had either been stunned by the concussion or overcome by the choke damp. On March 2 I selected four experienced coal miners who had been working in the mine, and took them into the mine with me to make an investigation which would determine if possible the cause of the explosion. The result of that investigation was, the conclusion in my mind, that the explosion occurred in room 8, off fourth left cross entry, and was caused by two men who were sent into that room by the pit boss to take up the track and who ignited a body of standing gas at the face of the room. This conclusion was partly based also on investigations I made among those who were at work in other parts of the mine. Two men were found dead and partly burned in this room after the explosion. Room 8 had been abandoned at the close of the night shift on Sunday night previous, it having been worked out. The fire boss of that shift told me, and so testified at the coroner's inquest, that on Monday morning about 5 o'clock he had inspected that room, just after its abandonment, and found a small body of gas at the face and had put a danger signal, the customary danger signal of the mine, about 100 feet back from the face. During my investigation on March 2 I took air measurements in various parts of the mine, and the least that I found was 4,987½ feet in the last crosscut between air course and entry of fourth left level. The full complement of men to work in that level was 30. On my last inspection of the mine previous to the explosion, to wit, January 24 last, the measurement of air at that same place was 4,814 feet; in other parts of the mine, both on the Saturday following the explosion and on January 24, still greater measurements of air circulation; thus there was circulating through that level about three times the amount of air required by the United States statute under which I discharge my duties. The explosion was caused, in my judgment, not because of insufficient air circulation to expel the "noxious" or poisonous gases, but because of an accumulation of such gases in abandoned room 8, where no further or particular attention was given to air circulation, and which was not properly protected against intrusion by employees of the mine. The coroner's jury, which spent two days, with night sessions, in examining about twenty witnesses as to the cause of the death of the victims of this explosion and a third day in examining the scene of the explosion in the mine, was

aided in its investigations by the district attorney of this judicial district, who had a stenographic report of the testimony made. The jury returned a verdict, a copy of which I inclose herewith for your information. I attended all the sessions of that investigation and visited the mine with the jury. On this visit no gas was found in any of the rooms or entries. You will observe that there is a difference between the conclusion of the coroner's jury and my judgment, as expressed above, in this, that the jury expresses the opinion that there was insufficiency of air circulation at the time of the explosion due to the obstruction of the air courses of that level by accumulation of water therein. The testimony showed that immediately after the explosion there was a large accumulation of water at one point, a low point in the air course, of that level. The testimony also showed that this water might have been blown or forced to that lowest point of the level by the force of the explosion. Moreover, the brattices and goaf were blown into the air course at this point from several crosscuts, thus helping to constitute the obstruction to the air course which was found immediately after the explosion. Upon this point the testimony is rather indefinite and not at all conclusive, and I adhere to my judgment, as expressed above, and I am of the opinion that had there been no obstruction at all in the air course the explosion would have occurred by intrusion into abandoned room 8 without safety lamps and the ignition of a standing body of gas therein, accumulated since the abandonment of the room, and to the expulsion of which by thorough air circulation no particular attention was being paid.

Coroner's jury report.

We, the coroner's jury, duly impaneled and sworn by H. C. Kinsell, justice of the peace and acting coroner, on the 28th day of February, 1895, to investigate the cause of the deaths of Lee Beck, James T. McCart, E. W. Flick, August Leplat, Hugh Sweeney, W. H. Jones, Angelo Rufatti, S. C. Hardesty, Simon James, Marion Ellingsworth, William Ellingsworth, Henry Disarrant, Henry Disarrant, jr., Jules Disarrant, John Donohue, John Eathorn, Alejandro Kelley, Michael Ryan, Stephen Grubseick, Thomas White, Henry Harbin, Roy Phillips, Richard Deiro, George Speight, who were found dead in precinct No. 7 of the county of Santa Fe, Territory of New Mexico, on the 27th day of February, 1895, having examined the bodies of the said persons, and having examined various witnesses as to the cause of their deaths, and having examined the White Ash coal mine in said precinct and county in which their deaths occurred, do find that they met their deaths in the third and fourth left cross entries of said mine from an explosion of gas and the effects of after damp; and we furthermore find that the explosion was caused by an insufficient amount of air passing through the air course of the fourth back entry on account of the air course being obstructed by water.

O. W. ALEXANDER, *Foreman*,
RICHARD GREEN,
M. B. BROWN,
E. B. AMES,
D. L. MILLER,
W. C. ROGERS,
Jurors.

At the time the above and foregoing disaster occurred the Territorial legislature was in session at Santa Fe, N. Mex., and the following joint resolution was passed:

House Joint Resolution XIV.

Whereas on the 27th day of February, 1895, a gas explosion occurred in the White Ash mine at Madrid, in Santa Fe County, Territory of New Mexico; and

Whereas at the time a great many miners were employed in said mine and were killed by the explosion; and

Whereas the legislature at this time is informed that 24 dead bodies have been taken from the mine, and that the miners so killed were married and have left large families who are in almost destitute circumstances: Now, therefore, be it

Resolved by the thirty-first legislative assembly, That the sum of $6,500, or so much as may be necessary, be, and the same is hereby, appropriated out of any moneys now in the hands of the Territorial treasurer for the relief and support of the families of said miners so killed as aforesaid.

SEC. 2. That Very Rev. P. L. Chapelle, Arch bishop of Santa Fe, W. E. Dame, and Pedro Pera be, and they are hereby, appointed a committee to investigate as to the condition and circumstances of said families of said deceased miners, which said committee shall have full power and authority to distribute to said families the sum of $6,500, or so much thereof as in the judgment of said committee may be necessary

for the immediate relief of said families. Said committee shall enter upon its duties immediately and distribute the money as aforesaid and make a full and complete report to the governor of the Territory of their actions in the premises.

SEC. 3. The Territorial auditor of public accounts is hereby authorized and required to draw his warrant in favor of the committee appointed under the provisions of this resolution for the sum of $6,500 upon the presentation to him of a certified copy of this resolution, and the Territorial treasurer is hereby authorized and required to pay said warrant upon its presentation to him out of any public moneys now in his hands.

SEC. 4. This joint resolution shall be in full force and effect from and after its passage.

Approved February 28, 1895.

The committee named in the foregoing resolution distributed the moneys so appropriated as follows:

Catherine McCart, widow and one child	$350
Margaret Hardesty, widow and one child	350
Domecia Ruffetti, widow and three children	650
Catherine Deiro, aged parent	200
Lena Phillipps, widow and one child	350
Sarah Harbin, widow and two children	500
Josephine Disarrant, widow, lost husband and two sons	450
Annie Donohue, widow and six children	1,100
Elizabeth Speight, widow and two children	500
Mrs. Kelley, aged parent	200
Lizzie Eathorn, widow and one child	350
Emil Leplat, aged parent	200
John Beck, aged parent	200
Total	5,400

Table showing name of mine, post-office, method of working, power used in mines, and mode of ventilation.

Name of mine.	Post-office.	Method of working.	Mode of ventilation.	Power used.
Gallup mine	Gallup, N. Mex	Slope, double entry, room and pillar.	Fan	Steam.
Sunshine	do	do	do	Do.
Black Diamond	do	do	Furnace	Do.
Beacon Hill	do	Slope, single entry, room and pillar.	do	Do.
Mulholland	do	do	Natural	Horse.
Caledonia	do	Slope, double	Furnace	Steam.
Crown Point	do	Double compartment shaft	Fan	Do.
Otero	do	Drift, single entry, room and pillar.		Horse.
Rocky Cliff	do	do	Furnace	Do.
Bailey & Cannavan	do	Slope, single entry, room and pillar.	do	Do.
White Ash	Cerrillos, N. Mex	Slope, double entry, room and pillar.	Fan	Steam.
Waldo	do	do	do	Do.
Lucas	do	do	do	Do.
Miller Gulch	do	do	do	Do.
Omera	do	Slope, single entry, room and pillar.	Natural	Horse.
Green & Bailey	do	do	do	Steam.
Blossburg	Blossburg, N. Mex	Slope, double entry, room and pillar.	Fan	Do.
Hartsell (or Sproule)	Raton, N. Mex	Slope, single entry, room and pillar.	Natural	Do.
Smith	do	Drift, single entry, room and pillar.	do	Horse.
Hunt, J. A., No. 1 and No. 2.	do	do	do	Steam.
Monero	Monero, N. Mex	Slope, single entry, room and pillar.	Furnace	Do.
Ray	do	Drift, single entry, room and pillar.	do	Do.
Simers	do	do	do	Horse.
Wells & Parker	White Oaks, N. Mex	Slope	Natural	Steam.
Carthage Coal Co	Carthage, N. Mex	do	do	Horse.

AIR MEASUREMENTS.

The following table shows the number of cubic feet of air per minute entering and returning, measured at intake and outlet:

Santa Fe County mines.

WHITE ASH MINE, NO. 1 B.

Date of measurement.	Intake.	Outlet.
July 24, 1894	13,650	13,500
August 30, 1894	32,400	42,000
September 29, 1894	34,320	.....
December 5, 1894	31,980	37,620
January 24, 1895	42,120	42,900
March 11, 1895	33,992½	48,510
March 28, 1895	29,949½	35,620
April 23, 1895	30,915	32,640
May 16, 1895	30,175	34,810
June 18, 1895	22,960	28,050

LUCAS MINE, NO. 1 C.

August 30	10,650	.....
September 29	20,292	21,600

MILLER GULCH MINE, NO. 2 A.

September 28	10,230	.....

O'MARA MINE.

December 10, 1894	4,275	4,125

Bernalillo County mines.

SUNSHINE MINE.

July 19, 1894	16,370	16,875
October 11, 1894	29,785	25,758
November 16, 1894	29,250	31,804
January 8, 1895	21,916	22,236½
February 22, 1895	28,333	27,916
April 15, 1895	25,358	20,210
June 13, 1895	25,900	24,150

GALLUP MINE.

July 18, 1894	47,700	42,639
October 12, 1894	47,932½	46,275
November 17, 1894	56,100	54,225
January 4, 1895	45,210	42,989
February 25, 1895	34,500	.....
April 17, 1895	21,945	21,250
June 12, 1895	20,475	20,000

BLACK DIAMOND MINE.

July 20, 1894	10,072½	.....
October 13, 1894	6,682½	7,227
November 15, 1894	7,191½	6,610
January 7, 1895	5,775	6,186
February 21, 1895	5,880	5,860½
April 19, 1895	2,800	.....
June 11, 1895	2,429	2,500

Bernalillo County mines—Continued.

CALEDONIA MINE.

Date of measurement.	Intake.	Outlet.
July 21, 1894	1,784	3,462
October 15, 1894	10,717½	10,660
November 19, 1894	11,610	12,000
January 5, 1895	11,209	11,007
February 23, 1895	17,822½	17,553
April 16, 1895	8,160	8,242½
June 14, 1895	10,450	10,500

MULHOLLAND MINE.

January 7, 1895	2,562½	2,560
April 18, 1895	3,280	3,310

BEACON HILL MINE.

February 20, 1895	9,042	9,860
April 12, 1895	2,475	2,525

ROCKY CLIFF MINE.

June 15, 1895	1,750	2,100

CANNAVAN & BAILEY MINE.

June 15, 1895	1,500	1,560

Socorro County mines.

CARTHAGE MINE.

December 12, 1895	3,525	3,760

Colfax County mines.

BLOSSBURG MINE.

September 25, 1894	24,161	28,917
January 21, 1895	19,275	19,880
March 23, 1895	24,405	26,528

SMITH MINE.

January 22, 1895	1,785	1,837½
March 22, 1895	800	.....

Rio Arriba County mines.

MONERO MINE.

January 15, 1895	10,138¾	9,800
May 21, 1895	10,500	7,492½

RAY MINE.

August 26, 1895	6,722	6,533½

SIMERS MINE.

January 16, 1895	3,500	3,479
August 26, 1895	3,008	3,000

From the column of percentages it will be seen that the output of coal for the Territory of New Mexico comes practically from four counties. For the fiscal year ending June 30, 1895, there were reported 21 mines in operation. The same number were in operation in the preceding year. Most of the mines for the year ending June 30, 1895, have only worked a portion of the time, and the output for the year amounts to 673,260 tons, while for the preceding year, as reported, the output was 615,454 tons, showing an increase for this year of 57,806 tons.

The number of accidents reported, both fatal and nonfatal, are less than for the preceding year. The number of accidents caused by falling roofs, stones, coal, and slate are less. The majority of them are probably caused by the overanxious miner trying to get out as much coal per day as possible without regard for his own safety, and the temptation is too great for his judgment, although, in some instances, the rock or slate falls from slips between his posts or props and catches him.

The excess of fatal accidents this year has been caused by an explosion of gas or fire damp in the White Ash mine.

The thickness of the veins in nearly all of the mines where fire damp is generated is favorable to their proper ventilation, and while gas can not be prevented from generating, it could undoubtedly be prevented in the entries and rooms by having proper ventilation; also by crosscuts being driven more closely together, thus sweeping the gas out as fast as it generates.

Every superintendent and pit boss should make it his imperative duty to provide ventilation as the work advances, and he should not delay until he is compelled to make the proper provisions by allowing gas to form so as to cause severe and disastrous explosions.

Proper care and provisions and the knowledge that "eternal vigilance is the price of safety" would be a safeguard to the investments of the owners, and security for the life and limbs of those employed in the mine.

There are no Territorial laws governing the coal industries; and when the importance of the subject is properly represented before the Territorial legislature, certain restrictions should be placed on the manner of handling powder, as well as to ventilation and other matters, which would insure greater safety and protection to the miners and other persons connected with this growing industry.

In all of the coal mines throughout the Territory the mine officials have expressed their willingness to comply with all requirements of the United States laws governing coal mining, and the main problem which confronts the mine inspector is to get the miners impressed with the necessity of looking out for themselves and to use ordinary precaution in their own behalf.

A coal miner of experience needs no prompting or hints that the roof of his entry or room is in bad condition, and he should not need to be compelled to put in the necessary posts or timbers to insure his protection; and carelessness in this respect often not only jeopardizes his life, but works to the injury of other miners and to the detriment of the management.

There may be some of the workingmen or miners who would like to express their opinions relative to the ventilation or workings of the mine, and probably some would wish to accompany the mine inspector on his tour through the mines; this the inspector would heartily indorse, and would suggest that the miners select one of their number to accompany him through the mine while inspecting. A complaint may be made that the inspector on visiting the mine always asks for the superintendent or pit boss. There are two reasons why the inspector goes to the superintendent or pit boss: In the first place, the miner does not wish to lose a day or so of work; and the second reason is that the pit boss is the responsible party for all defects in the workings of the mine, and is the proper person for the inspector to give instructions and orders to relative to ventilation and timbering at any point which the inspector thinks needs regulating.

But what would materially assist the inspector in the performance of his duty would be for the miners or workmen to adopt a system of reporting the condition of the mine to the inspector. This plan would probably result in a material benefit to the workingmen and could result in no injury to those concerned who intended to comply with the law, and would have a tendency to compel those who are careless to do their duty.

Some of the workmen may say that they are afraid to complain to the inspector for fear of being discharged; but this should not be allowed.

The inspector has a right to question the workingmen relative to the condition of the mine, and the workingmen should feel that they have a right to furnish the inspector with information without his having to question them.

MINES NOT IN OPERATION.

Bernalillo County.—Catalpa, Dun Cannon, Brown's.
Santa Fe County.—Red Ash, Cunningham, Union.
Rio Arriba County.—San Luis.

There are also two small mines located near Amargo, Rio Arriba County, N. Mex., 4 miles west of Monero, N. Mex., which are not being operated.

RECOMMENDATIONS.

In many respects I deem the present law governing the mining industry in this Territory as inadequate, and therefore would respectfully offer a few suggestions in the way of amendments thereto:

First. That the owner or operator of each coal mine employing ten or more men should make, or cause to be made, an accurate map or plan of the workings of such coal mine on a scale not exceeding 100 feet to 1 inch, showing the bearings and distances of workings and the general inclinations of the stratum or any material deflections in such workings, and the boundary lines of such coal mines, which shall be kept for the use of the inspector at the office of said mine in the county where such mine is located; and shall also furnish a true copy of such map or plan to the inspector of coal mines to be filed in, his office; and said owner or agent shall cause, on or before the 10th day of January and July of every year, a statement of the workings of the coal mine or mines. If the agent or owner of any coal mine shall neglect or refuse, or for any cause fail, for the period of one month after the time described, to furnish said map or plan as above required, or if the inspector should find or have good reason to believe the map or plan was inaccurate in any material part, he be authorized to cause a correct map or plan of the actual workings of such coal mine to be made at the expense of the owner thereof.

Second. The owner or agent of any coal mine, whether shaft, slope, or drift, shall provide and maintain for every such mine an amount of ventilation not less than 150 cubic feet (where fire damp is known to exist) per minute per person employed in such mine, and also an amount of ventilation of not less than 500 cubic feet per minute for each mule or horse used in such mine, which shall be distributed throughout the mine in such a manner as to dilute and render harmless and expel the noxious and poisonous gases from each and every working place in the mine; and break throughs or air ways should be driven at least every 60 feet, and an air way or break through be made at the face of each and every abandoned room or entry; and all break throughs except those last made near the working face of the mine shall be closed up and made air-tight by brattice trapdoor, or otherwise, so that the current of air in circulation in the mine may sweep to the interior of the mine, where the persons employed in such mine are at work.

Third. Within twenty-four hours after abandonment of any working face in the mine all track, ties, and other material, if any, should be taken out, and all entrances and approaches to that particular place should be bratticed up or filled in with "gob," except openings for ingress and egress of air, and in these two openings, immediately in the openings and not in the room or working face, danger signals should be placed in such a manner that an intruder could not avoid seeing them.

Fourth. And all mines be provided with artificial means of producing ventilation when necessary to provide a sufficient quantity of air, such as fanning or suction fans, exhaust steam furnaces, or other contrivances of such capacity and power as to produce and maintain an abundant supply of air, but in case a furnace shall be used for ventilating purposes it shall be built in such a manner as to prevent the communication of fire to any part of the works by lining the upcast with any incombustible material for a sufficient distance up from said furnace. All mines generating fire damp shall be kept free from standing gas, and every working place shall be carefully examined every morning with a safety lamp by a competent person or persons before any of the workmen are allowed to enter the mine, and the person making such examination shall mark on the face of the workings the day of the month and report the condition of the mine at or near the pit top; and in all mines, whether they generate fire damp or not, the doors used in assisting or directing the ventilation of the mine shall be so hung and adjusted that they will shut up of their own accord and can not stand open, and the owner or agent shall employ a practical and competent overseer, to be called a mining boss, who shall keep a careful watch over the ventilating apparatus and the air ways, traveling ways, pumps, timber, and drainage; also shall see that as the miners advance their excavations that all loose coal, slate, and rock overhead are carefully secured against falling in on the traveling way, and that sufficient props and caps of suitable length and size are furnished for the places where they are to be used and placed in the working places of the miners; and he should measure the ventilation at least three times a week at the

inlet and outlet and also near the face of all the entries; a record on properly printed blanks should be kept of such measurements, and at the end of each week the mine inspector should be mailed a copy of such record.

Fifth. The mining boss, or other competent person, should make daily inspection of ropes, chains, cages, and other hoisting apparatus, guides, and shaft timbers, and make a record of such daily inspection in a book kept in the office of such mine for that purpose; and the mine boss should keep a daily record of any defect in the ventilating appliances, and any standing gas that may be found in the mine, designating the entry and room in which the gas is found. The records of the aforesaid inspections shall be kept open at all times to the mine inspector.

Names and post-office addresses of superintendents and pit bosses.

Name of mine.	Post-office.	Officer.
Beacon Hill	Gallup, N. Mex	F. W. Smith, superintendent.
	Los Angeles, Cal	A. H. Braly, president.
Black Diamond	Gallup, N. Mex	Hugh McGinn, superintendent.
		James Richards, pit boss.
		C. W. Kennedy, general manager.
Caledonia	do	John Stewart, superintendent.
		George Evans, pit boss.
		Alex Bowie, general manager.
Sunshine	do	Hugh McGinn, superintendent.
		Richard Coe, pit boss.
		C. W. Kennedy, general manager.
Mulholland	do	Gus. Mulholland, general manager.
Cannavan & Bailey	do	Isaac Bailey, superintendent.
Rocky Cliff	do	Frank Dugan, superintendent.
Otero	do	Alex Bowie, general manager.
White Ash	Cerrillos, N. Mex	James Duggan, superintendent.
		William Brown, pit boss.
	Topeka, Kans	C. J. Devlin, general manager.
Lucas	Cerrillos, N. Mex	James Duggan, superintendent.
		William Brown, pit boss.
	Topeka, Kans	C. J. Devlin, general manager.
Miller Gulch	Cerrillos, N. Mex	James Duggan, superintendent.
		William Brown, pit boss.
	Topeka, Kans	C. J. Devlin, general manager.
O'Mara	Cerrillos, N. Mex	Mr. O'Garra, superintendent.
Blossburg	Blossburg, N. Mex	John Bell, superintendent.
		William Graham, pit boss.
	Topeka, Kans	C. J. Devlin, general manager.
Hartsell	Raton, N. Mex	A. R. Hartsell, superintendent.
Smith	do	Henry Smith, superintendent.
Monero	Monero, N. Mex	Pascal Craig, superintendent.
Ray	do	David Ray, superintendent.
Simers	do	F. M. Simers, superintendent.
Wells & Parker	White Oaks, N. Mex	E. W. Parker, general manager.
Carthage	Carthage, N. Mex	F. Porgliati, superintendent.
Crown Point	Gallup, N. Mex	Hugh McGinn, superintendent.
	Albuquerque, N. Mex	C. W. Kennedy, general manager.

MINERS' ANNUAL CONTRACT.

GALLUP, NEW MEXICO.

This agreement, made this —— day of ——, A. D. 189—, between the CRESCENT COAL COMPANY, of the first part, and ——, of the second part,

WITNESSETH, That the said party of the second part has agreed, and by these presents does hereby agree to enter into the employment of the said party of the first part as a —— to commence on the —— day of —— A. D. 189—, and continue thereon until ——, 189—, and to abide by, and to adhere to, and observe the Rules and Regulations set out and printed on the back hereof, numbered one to twenty-five, inclusive, and which are hereby made a part of this contract, to the like extent as if herein written, and in addition to abide by and observe all other rules and regulations, as may be adopted from time to time by said Coal Company, party of the first part, by and with the consent of the party of the second part, for the purpose of the regulation of mining and other employment in and about the coal mines and property of the said Coal Company, party of the first part.

The said party of the second part further agrees to keep his room or working place in good order and repair, well secured and propped; and, also, that if the said party of the second part shall at any time deem his room unsafe and insecure by reason of a neglect or failure to deliver props, he shall at once cease work in said room or working place, and shall not resume work therein, until first suitable props have been delivered, and he has made his room secure; and also that he will not be absent from his employment hereunder without leave, except in case of sickness or other unavoidable contingency that will prevent him from work.

The party of the first part agrees to furnish at the mouth of room the requisite material, rails props and supplies, to keep said room in good working order, after party of second part has selected the same and placed his number thereon.

The party of the first part agrees to pay the said party of the second part, for each ton of coal mined by him and delivered on pit cars as follows, less all deductions, set-offs and counter claims due at date of payment, —— cents per ton from —— 189—, to —— 189—, all coal to be free from rock, bony or other avoidable impurities.

The party of the first part agrees to pay the party of the second part —— Dollars for each day, month, the party of the second part may be employed by the party of the first part, less all deductions, set-offs and counter-claims, due at date of payment, from —— 189—, until —— 189—.

All coal to be weighed before screening, 2,400 pounds, or such other amount run of mine as will make 2,000 pounds of screened coal over present screens.

Said first party hereby reserves the right and privilege of closing its mines at any time, or of reducing the number of employes by discharge of all or such of them, including said second party, as the superintendent, or person having charge of the mines for the time being, may think proper. All payments hereunder to be made on regular pay-day, and in compliance with the Rules and Regulations above-named; and pay-day is hereby fixed for and on the Saturday nearest the twenty-fifth day of each month, when, and at which time all wages or moneys that may have been earned during and in the calendar month next prior to such pay-day, shall be paid, less all moneys owing said party of the first part on any account whatever.

It is hereby expressly agreed and understood by the party of the second part, that should he become a tenant of the party of the first part during the term of his engagement, then in case of the termination of this contract, either by his discharge from the employ of the said first party, or in any other way, the term of such tenancy shall at once cease and be determined without notice, and he will vacate the premises so occupied by him, upon verbal notice of the agent or superintendent of said first party, written notice to quit being hereby expressly waived, and on failure so to do, will be deemed guilty of forcible detainer of such premises, and that he will not be entitled to demand or receive any part of the wages due him for labor performed (should the party of the first part so elect) until such premises are vacated and the keys thereof delivered at the office of said first party.

And the party of the second part further agrees that he will not stop work, leave the employment of the said party of the first part, or join or become a party to, either directly or indirectly, any strike or combination for the purpose of obtaining, or the intent of which is to obtain from, or cause the company, party of the first part, to pay their miners or other employes an advance of wages, or pay beyond what is specified in this or their contract nor for any other cause whatever. Nor will he in any manner aid, abet, or countenance any such strike, combination or scheme whatever, during the time specified in the first clause in this contract. And if the said party of the second part at any time shall violate any of the provisions of this contract in this regard, he shall thereby forfeit all claim for coal prior thereto mined or labor performed, and not paid for, and the said first party shall be fully released from all liabilities on account of this contract, for coal mined or labor performed by the said party of the second part.

For and in consideration of the foregoing agreements, the Company, party of the first part, hereby covenants and agrees that it will not join any combination with other companies, or be a party, either directly or indirectly, for the purpose of reducing the rate of wages of the party of the second part below the sum specified in this contract. Nor will it in any manner aid, abet or countenance any combination or scheme whatever, that has for its purpose any such object or design during the time specified in the first clause of this contract. And if the said party of the first part shall violate any of the provisions of this contract in this regard it will thereby forfeit a sum of money, not to exceed fifty ($50) dollars as a penalty, to the said party of the second part. Party of the second part, also, agrees to accept said sum of fifty ($50) in full for any damage he may sustain by any violation of the provisions of this clause of this contract, and on receipt of same, waives all further claims for damages against party of the first party.

IN WITNESS WHEREOF, the said parties have hereunto set their hands and seals, the day and year first above mentioned.

CRESCENT COAL COMPANY,
By ——
Agent or Superintendent.

—— —— *Witness.*
SIGNED IN DUPLICATE.

☞ *Read the Rules and Regulations on the other side.*

RULES AND REGULATIONS OF THE CRESCENT COAL COMPANY.

1. All miners in the employ of this Company must be at their respective places of work at 7:30 a. m., remain there till 12 m.; returning at 1 p. m., and remaining until 5:30 p. m., unless their turns for the day are all loaded.

2. No employé is allowed to leave the mine without the consent of the Mine Foreman, except in case of sickness or accident. And any miner absenting himself from his work longer than one day, without permission of the Mine Foreman, shall forfeit all claim to his former place, and can only return to work by permission of the Mine Foreman.

3. All grievances of mine employés must first be submitted to the Mine Foreman, and in case they cannot satisfactorily arrange matters, it shall then be presented to the Superintendent of the Company, whose decision in all cases must be final.

4. We will not in any way recognize any organization or combination of men who shall in any way combine for the purpose of making demands upon this Company.

5. All men in the employ of this Company, either by the day or month, are required to be at their respective places of work at 7 a. m., remaining until 12 m.; returning to work at 1 p. m., and continuing at their work until 6 p. m., unless excused by the Mine Foreman. Ten hours shall constitute a day's work.

6. All employés of this Company will be subject to the orders of the Mine Foreman, who has full power to employ and discharge employés of the Company, the Foreman being at all times subject to the order of the Mine Superintendent.

7. Any employé may be discharged at any time without previous notice, and any employé wishing in good faith, to leave the Company's service, except for the purpose of causing a strike or suspension of work, may do so at any time without giving previous notice, and all arrearages of pay shall be due and payable at once, in accordance with Rule No. 22.

8. No person except the "trip rider" will be permitted to ride on Pit Cars while attached to the engine.

9. The Mine Boss will personally examine the mine and see that all parts thereof are in safe condition. All employés must report any dangerous place to the Mine Boss, who will at once have same repaired, and permit no one to enter therein. Reckless or inexperienced persons will not be employed in the mine.

10. Employés passing through doors in any entry or air-way and neglecting to close the same will be discharged.

11. Employés taking tools or material of any kind, and neglecting to return same, will for first offense be charged for tools or material so taken, but for the second offense they will be discharged.

12. The abuse of mules, destruction or waste of property belonging to the Company will not be permitted.

13. Quarrelsome or intoxicated persons are forbidden to enter the mine or interfere in any manner with those on duty.

14. The Company will place an inspector at the tipple, who will inspect each car and deduct for all dirt and slate contained therein, such an amount per car as his judgment may direct. He shall report the fact of such deductions having been made to the Superintendent or Mine Boss, who shall personally examine into the matter, and unless a good and sufficient reason is shown by the miner why such was loaded, he shall be discharged.

15. Cars may be weighed while in motion, passing over the scales, but if so weighed must pass sufficiently slow as to admit of correct weight being taken by Weigh Boss.

16. Persons, or families of persons not in the employ of the Company will in no case be permitted to occupy Company buildings.

17. Any employé discharged from the works will be required to leave his place in good condition, to deliver any Company property in his possession to the mine Boss. Any employé neglecting or refusing to keep his place in good and safe condition, will be discharged from the works, and the cost of putting his place in proper shape deducted from any balance due.

18. Every person who shall be in the employ of the Company for as much as two days, shall be assessed one dollar for a doctor or hospital fee, and thereafter such assessment of one dollar shall be made monthly as long as such person is in the employ of the Company. Such assessments shall be paid for the services of a doctor selected by the Company.

19. Miners will be expected to keep their places well timbered, and in a safe condition, and the Superintendent will see that timbers for this purpose are constantly kept on hand. One end of such timbers cut square for such purpose.

20. Miners and all employés are under the direction of the Pit Boss while under ground, and such Mine or Pit Boss shall direct the manner of putting in minings and shots, shall order timbers set up, or break-throughs or cross-cuts made where in his judgment such are needed, and no timbers, break-throughs or cross-cuts unless so ordered will be paid for by the Company.

21. No person except those employed therein will be permitted to enter the weigh office, or speak to the Weigh Boss while on duty.

22. Persons leaving the service of the Company, of their own accord, shall accept a time check for the amount due them, payable upon the regular pay-day of the Company, and if discharged will be given a draft payable at sight upon the Treasurer of the Company.

23. Single men occupying bunk-houses or "shacks" will be charged one dollar each month for the use of such bunk-houses. Cottages and other houses will be rented at a price to be agreed upon. A charge of two dollars a ton will be made for coal delivered.

24. This Company compels no man to enter its employ or service, and will insist on its right to discharge any or all employés at any time without explanation. The Superintendent will rigidly enforce these rules and discharge any employé caught violating them.

25. Notices signed by the Superintendent, not in conflict with these Rules and Regulations, will be binding on employés and must be obeyed by them.

These Rules and Regulations are in full force and effect from this date, and anyone who is not willing to work under them and abide by them cannot enter the employ of this company.

E. J. CURSON, *President.*
C. W. KENNEDY, *General Manager.*

Gallup, N. M., — *189*—.

REPORT

OF THE

PRESIDENT OF HOWARD UNIVERSITY.

HOWARD UNIVERSITY,
Washington, D. C., July 1, 1895.

SIR: I beg leave respectfully to submit the following report of the work of Howard University. The year ends June 30, 1895, and I send a catalogue for 1894–95, and also the treasurer's report for the same period as collateral and supplementary to this paper.

The year has been one of perfect harmony and unity, not a single case of discipline having been reported to the united faculty. The students, male and female, to the number of 587, have come from 42 different States and Territories and from the West Indies and Central America.

In the theological department, wholly supported by the funds of a single religious society, the American Missionary Association, there have been 39 students, of whom 6 have graduated or received certificates of honorable work completed. In the medical department there have been 200 students, including 13 pharmaceutical, 13 dental, and 55 under training to become nurses. A decided advance has been made in the latter particular in a class established under the auspices of Dr. D. H. Williams, surgeon in chief of the Freedman's Hospital, with a competent superintendent, where the most thorough instruction under rigid hospital restrictions is given. In this class there have been 34 pupils. In the law department, of which the coming year the United States Government undertakes the entire support, there have been 33 pupils, with 15 graduates and 4 post graduates. This department has been greatly benefited by special lectures from distinguished jurists from abroad, such as Hon. S. E. Baldwin, of Connecticut, with the expectation of lectures the coming year from Hon. Justice Harlan, of the United States Supreme Court, and Justice Gray, of Harvard University. The college department had 33 pupils, the preparatory 92, and the normal 188. In all of these departments excellent work has been done. A large number of students have received instruction in music, carpentry, tinning, printing, bookbinding, and sewing. In three of the manual-training departments prizes have been given through the generosity of Hon. Andrew Langdon, of Buffalo, N. Y.

Tuition is now exacted only in the medical department, and the students are charged annually $15 for room, and $8 per month for board, while in all of the academic departments aid is given to all students of advanced grade.

The completion of the Andrew Rankin Memorial Chapel marks a step of advance in the way of new buildings. This structure has been

erected by the gifts of individuals, Mrs. Andrew E. Rankin, now Mrs. H. O. Cushman, of Boston, having given $5,000, and a bequest of $5,000 from J. H. Stickney, esq., of Baltimore, having been appropriated by the trustees to the same purpose.

The trustees have voted to expend a sum not to exceed $7,500 the present year in the way of improving the facilities of the medical department, subdividing the old amphitheater into four lecture rooms, so that the students may be classified and taught separately.

During the year just closed, from the $29,500 granted by Congress $23,500 has been expended for the salaries of officers, professors, teachers, and other regular employees of the university; $3,000 for tools, materials, wages of instructors, and other necessary expenses of the industrial department; $1,300 for the library (including $1,000 for law library), bookcases, shelving, and fixtures; $200 for apparatus for the laboratories and chemicals; $1,000 for repairs, and $500 for improvement of grounds, making a total of $29,500.

The trustees would express their grateful recognition of the generosity of Congress in assuming the entire support of the law department, and they have publicly announced that for the present year, and so long as this shall be done, the tuition in this department shall be free. They have at the same time thought it wise to advance the attainments for admission to this department.

They would repeat their request for $1,000 to fit up with fixtures for library purposes the room now ready in the new chapel. This will bring the books to a building on the ground floor, and one virtually fireproof.

The amount appropriated by Congress for the coming year, including $8,200 for the law department, is $34,500. The trustees would earnestly request the same amount for the next year, which, with the $1,000 for the library fixtures in the new chapel building, will make $35,500.

The appropriation bill requires the proper officers of the university to make a detailed report of how the appropriation is expended. In compliance with this request I have the honor to add the following:

The president of the university, who receives $4,000 per year, with the use of a house, was paid from the appropriation	$2,800.00
The secretary, treasurer, and business manager, whose annual salary is $2,000, received from the appropriation	1,800.00
Seven professors in the college, preparatory and normal departments, who receive $1,500 per year each, with use of house, were paid from the appropriation, each, $1,350	9,450.00
Three teachers, who receive $800 per year each, were paid from the appropriation, each, $720	2,160.00
One lady teacher, who is paid $900 per year, received from the appropriation	810.00
One lady teacher, who is paid $1,000 per year, received from the appropriation	900.00
One lady teacher, who receives $600 per year, was paid from the appropriation	480.00
One teacher, who is paid $700 per year, received from the appropriation	630.00
One matron, whose annual salary is $600, was paid from the appropriation	540.00
Four assistant teachers, whose salaries are $500 each per year, were paid from the appropriation an aggregate of	730.00
Four professors in the law department were each paid from the appropriation $800	3,200.00
Total for salaries	23,500.00

The sum of $3,000 appropriated for the manual-training school (industrial department) was expended as follows:

For instruction	$2,420.66
For material	330.59
For fuel	121.75
For janitor and fireman	127.00
Total	3,000.00

The sum of $1,000 appropriated for the repairs of buildings was mostly expended in the repair of tin roofs and decayed woodwork under the same. To this sum there was added $1,564.29, which was used in general repairs where most needed.

The sum of $500 appropriated for the improvement of grounds was used in the construction of a substantial fence along the west side of the campus, on Sixth street.

The sum of $300 appropriated for library books, the $1,000 appropriated for law library, and $200 appropriated for the laboratories of the university, chemicals, apparatus, etc., were used for the purposes indicated.

Respectfully submitted.

J. E. RANKIN, *President.*

Hon. HOKE SMITH,
Secretary of the Interior.

Treasurer's statement of receipts and disbursements from July 1, 1894, to June 30, 1895, pertaining to current expenses.

RECEIPTS.

Balance on hand July 1, 1894	$112.90
From United States:	
For salaries	23,500.00
For industrial department	3,000.00
For chemical apparatus	200.00
For library books	300.00
For law library	1,000.00
For repairs	1,000.00
For grounds	500.00
From rents	5,167.18
From income from invested funds	8,492.68
From American Missionary Association (including Stone endowment) for theological department	4,475.00
From donations for prizes	81.00
From room rents	1,364.50
From miscellaneous sources	301.83
From industrial department, proceeds of shops	158.21
From medical department, income and tuition, including $137.75 interest on Stevens fund	6,771.25
From law department, tuition	1,216.00
Total	57,640.55

EXPENSES.

Paid officers, professors, and instructors in academic branches		$25,134.75
Paid officers and lecturers in theological department, from donations		4.475.00
Paid professors and instructors in medical department	$5,855.00	
Paid other expenses of the department	1,808.50	
		7,663.50
Paid professors and instructors in law department	4,968.15	
Paid other expenses of the department	347.85	
		5,316.00

Paid instructors of the industrial department	$2,420.66	
Paid for material, industrial department	330.59	
Paid for fuel, industrial department	121.75	
Paid for janitor and fireman, industrial department	127.00	
Paid for material, presswork, composition, etc., from proceeds of shops	140.94	
		$3,140.94
Paid chemical apparatus		200.00
Paid library books		300.45
Paid law library		1,000.00
Paid repairs of buildings		2,564.29
Paid improvement of grounds		781.01
Paid fuel and gas		1,363.69
Paid janitors and firemen		1,670.92
Paid insurance		1,066.73
Paid interest on $13,000 transferred to aid fund		780.00
Paid miscellaneous expenses, including postage, advertising, telephone, stationery, furniture, stoves, diplomas, prizes, and other expenses of a general character		2,043.16
Balance, June 30, 1895		140.11
Total		57,640.55

COLUMBIA INSTITUTION FOR THE DEAF AND DUMB.

OFFICERS OF THE INSTITUTION.

Patron.—GROVER CLEVELAND, President of the United States.
President.—EDWARD MINER GALLAUDET, Ph. D., LL. D.
Secretary.—JOHN B. WIGHT, ESQ.
Treasurer.—LEWIS J. DAVIS, ESQ.

Directors.—HON. WILLIAM F. VILAS, Senator from Wis.; HON. WILLIAM L. WILSON; HON. NELSON DINGLEY, JR., M. C. from Me., representing the Congress of the United States; HON. HENRY L. DAWES, of Mass.; HON. JOSEPH R. HAWLEY, of Conn.; REV. BYRON SUNDERLAND, D. D.; HON. JOHN W. FOSTER; HON. J. RANDOLPH TUCKER, of Va.; LEWIS J. DAVIS, ESQ.

FACULTY OF GALLAUDET COLLEGE.

President and Professor of Moral and Political Science.—EDWARD M. GALLAUDET, Ph.D., LL. D.
Vice-President and Professor of History and Languages.—EDWARD A. FAY, M. A., Ph. D.
Emeritus Professor of Mental Science and English Philology.—SAMUEL PORTER, M. A.
Professor of Natural Science.—REV. JOHN W. CHICKERING, M. A.
Professor of Mathematics and Chemistry.—JOSEPH C. GORDON, M. A., Ph. D.
Professor of History and English.—J. BURTON HOTCHKISS, M. A.
Professor of Mathematics and Latin.—AMOS G. DRAPER, M. A.
Instructor in Mathematics.—CHARLES R. ELY, M. A.
Instructor in Latin.—PERCIVAL HALL, M. A.
Instructor in English.—MAY MARTIN, B. A.
Instructors in Gymnastics.—ALBERT F. ADAMS, B. A.; AMELIA WEICKSEL.
Instructor in Drawing.—ARTHUR D. BRYANT, B. Ph.

DEPARTMENT OF ARTICULATION.

Instructor in charge.—PERCIVAL HALL, M. A.

ASSISTANTS.

Instructors.—MARY T. G. GORDON, KATE H. FISH, CHARLES R. ELY, M. A.
Normal Fellows.—EDWARD P. CLARKE, B. Ph., Tufts College; ALBERT C. GAW, B. A., William Jewell College; JOSHUA BARBEE, B. A., Westminster College.
Normal Students.—JAMINI NATH BANERJI, lately a student in the University of Calcutta; MAY GREENER, Columbus, Ohio, High School.

FACULTY OF THE KENDALL SCHOOL.

President.—EDWARD M. GALLAUDET, Ph. D., LL. D.
Instructors.—JAMES DENISON, M. A., Principal; MELVILLE BALLARD, M. S.; THEODORE A. KIESEL, B. Ph.; SARAH H. PORTER; MAY MARTIN, B. A.
Instructors in Articulation.—MARY. T. G. GORDON, KATE H. FISH.
Instructor in Drawing.—ARTHUR D. BRYANT, B. Ph.

DOMESTIC DEPARTMENT.

Supervisor and Disbursing Agent.—WALLACE G. FOWLER.
Attending Physician.—D. K. SHUTE, M. D.
Consulting Physician.—N. S. LINCOLN, M. D.
Matron.—Miss ELLEN GORDON.
Associate Matron.—MRS. AMANDA W. TEMPLE.
Master of Shop.—ISAAC ALLISON.
Farmer and Head Gardener.—EDWARD MANGUM.

THIRTY-EIGHTH ANNUAL REPORT

OF THE

COLUMBIA INSTITUTION FOR THE DEAF AND DUMB.

COLUMBIA INSTITUTION FOR THE DEAF AND DUMB,
Kendall Green, Washington, D. C., October 9, 1895.

The pupils remaining in the institution July 1, 1894, numbered 92; admitted during the year, 36; since admitted, 31; total, 159. Under instruction since July 1, 1894, 101 males; females, 58. Of these, 101 have been in the college department, representing twenty-eight States, the District of Columbia, and Canada, and 58 in the primary department. A list of the names of the pupils connected with the institution since July 1, 1894, will be found appended to this report.

HEALTH.

No serious cases of illness have occurred among the pupils during the year. Excellent health has been the rule, exceptions to which have been slight.

COURSE OF INSTRUCTION AND LECTURES.

No essential change has taken place in the general course of instruction since 1887, when in our thirtieth report a detailed statement of the branches taught in both school and college was published. During the year special lectures have been given as follows:

IN THE COLLEGE.

The True Object of the Higher Education, by President Gallaudet.
Dante's Beatrice, by Professor Fay.
What I saw in Alaska, by Professor Chickering.
Time and Space, by Professor Porter.
A Deaf-Mute Statesman, Philanthropist, and Scientist, by Professor Gordon.
Books and Reading, by Professor Hotchkiss.
What Career after College? by Professor Draper.
The History of Writing, by Mr. Ely.

IN THE KENDALL SCHOOL.

Adventures of Ulysses, by Mr. Denison.
Our War with the Barbary States, by Mr. Ballard.
Capt. John Smith, by Mr. Kiesel.
Joan of Arc, by Miss Martin.
Madame Roland, by Miss Frederick.
Captivity in Madagascar, by Mr. Bingham.
Sinbad the Sailor, by Mr. Cowan.
Benedict Arnold's Treason, by Mr. Drought.
Aladdin's Lamp, by Mr. Howard.
Siegfried, by Mr. Marcosson.
Gulliver in Lilliput, by Mr. Williams.

CHANGES IN THE CORPS OF OFFICERS.

Miss Sarah D. Gibson, who for two years has filled the position of associate matron most acceptably, resigned last June, much to the regret of her many friends among the officers, students, and pupils. The vacancy caused by Miss Gibson's retirement has been filled by the appointment of Mrs. Amanda W. Temple, of Illinois, who has been for two years assistant matron of the Minnesota School for the Deaf and who comes to us highly recommended.

Miss Emma Pope, a member of our normal class of 1893–94, who taught successfully in our Kendall School during the past year, has resigned to take a position as an instructor in the Pennsylvania Institution at Mount Airy, Philadelphia.

Mr. Percival Hall, B. A., Harvard University, 1892, has been appointed an instructor in the college. Mr. Hall was a normal fellow in the college during the year 1892–93, and has had two years' experience as a teacher in the New York Institution for the Deaf and Dumb. Besides giving instruction in the college, Mr. Hall will have charge of the articulation work in both the college and the school.

Miss May Martin, who graduated from the college last June as valedictorian of her class, has been added to our corps of instructors for the coming year. She will have classes in both college and school, giving also some assistance to the matron in the domestic department.

COMPLETION OF THE BOYS' DORMITORY.

Through the liberality of Congress at its last session in appropriating $30,000 for much-needed additions to our buildings, we have been able to complete a dormitory for the boys of the Kendall School, the occupancy of which has made it possible for us to enlarge very materially the accommodations for the young ladies of the college.

The plans for the dormitory were drawn by Mr. Olof Hanson, architect, of Faribault, Minn., who graduated from our college in 1886.

Mr. Hanson, though totally deaf, is succeeding in his chosen profession, and it was no small satisfaction to the directors to be able to give the commission to make the plans for our new building to a graduate of our own college. It affords them pleasure to say that Mr. Hanson's work, both in design and in execution, has been most creditable.

A perspective drawing of the dormitory is herewith submitted.

This new building furnishes study rooms, sleeping rooms, and bath and toilet rooms for the accommodation of about fifty boys, besides suitable apartments for the officers in charge.

There has also been arranged in the upper story a suite of hospital rooms, which can be reached by a stairway from the outside of the building, making it possible, in case of the occurrence of contagious disease, to isolate these rooms quite effectively.

AN ADDITION TO THE LABORATORY.

An addition to the building in which our chemical laboratory is located has also been made during the past summer, which will furnish four rooms, each about 30 feet square, for the accommodation of the technical department which it is proposed to add to the college next year.

The drawings for this addition were made by Mr. Isaac Allison, the master of the cabinet shop.

The erection of both the buildings alluded to was under the immediate supervision of Mr. Allison, who, though new to his position here, proved himself highly efficient.

EXERCISES OF PRESENTATION DAY.

The annual public exercises of the college took place on the 1st day of May.

The Reverend Alexander Mackay-Smith, D. D., rector of St. John's Church, offered the opening prayer.

The essays of the graduating academic class were as follows:

Dissertations.—Common Sense, Alfred H. Cowan, Canada; Municipal Government in Europe and America, Arnold Kiene, Iowa; The Poetry of the Bible, Jay C. Howard, Minnesota; The Principality of Wales, Richard W. Williams, Wisconsin; History of Needlework, Laura V. Frederick, Pennsylvania; Elements of National Life, Ralph H. Drought, Minnesota; The Importance of Invention, Harvey W. Peter, Pennsylvania.

Orations.—The Art of Advertising, Max N. Marcosson, Kentucky; The Red Cross Society, Christina Thompson, Iowa; The Bee-Keeping Industry, Ernest Bingham, North Carolina; The Chambered Nautilus, May Martin, New York.

No essays were given by the members of the graduating class of the normal department, but in presenting the four candidates for degrees the president made a statement as to the courses of study pursued and the actual work of teaching done by the members of this class.

Candidates for degrees recommended by the faculty were presented to the board of directors as follows:

Degree of master of arts (normal fellows).—Wesley O. Connor, B. S., Georgia School of Technology; Edgar E. Stauffer, B. A., Lafayette College; Herbert E. Day, B. Ph., Brown University, and Josiah Dearborn, B. A., University of Michigan.

Degree of bachelor of arts.—Ernest Bingham, Alfred Harper Cowan, Laura Virginia Frederick, Jay Cooke Howard, Arnold Kiene, May Martin, Max Nathan Marcosson, Christina Thompson, and Richard Wallace Williams.

Degree of bachelor of science.—Ralph Henry Drought.

Degree of bachelor of philosophy.—Harvey William Peter.

The degree of master of arts, in course, was conferred on the following graduates of the college:

William G. Jones, B. A., 1876, now an instructor in the New York Institution for the Deaf and Dumb.

Rev. Philip J. Hasenstab, B. A., 1885, pastor of a church for the deaf in Chicago.

Albert Berg, B. A., 1886, now an instructor in the Indiana Institution for the Deaf.

Joseph Schuyler Long, B. A., 1889, now an instructor in the Wisconsin School for the Deaf.

The honorary degree of master of arts was conferred on Rev. Austin W. Mann, missionary to the deaf, Cleveland, Ohio, and on Rev. Jacob M. Koehler, formerly a student in our college, and now rector of All Souls Church for Deaf-Mutes, Philadelphia, Pa.

After the announcement of the degrees, the president introduced Hon. William L. Wilson, Postmaster-General and a member of the board of directors of the institution, who made an earnest and eloquent address to the graduating classes.

The exercises of the afternoon were closed with prayer and the benediction, given both in the language of signs and orally at the same time, by Rev. J. M. Koehler, rector of All Souls Church for Deaf-Mutes, Philadelphia, Pa.

NORMAL STUDENT FROM INDIA.

It is of special interest to report that among our five normal students this year we have a young gentleman from Calcutta, India, Mr. Jamini Nath Banerji. Mr. Banerji, whose English education was completed in the University of Calcutta, interested himself to effect the establishment of a school for deaf-mutes in Calcutta early in 1893.

He secured a small grant from the corporation of the city and subscriptions from a number of benevolent citizens, mostly natives, and gathered about twenty pupils. Having no knowledge of European or American methods of educating the deaf, Mr. Banerji repaired to England in the autumn of 1894, and has spent nearly a year in acquainting himself with the methods of teaching the deaf followed at present in that country. Hearing, in Ireland, at the Congress of the Deaf of the United Kingdom, held in Dublin last August, of the great excellence of the American schools for the deaf, and of the advantages offered in the normal department of this institution, Mr. Banerji decided to secure these advantages.

He expects to remain in our country until next summer, spending most of his time here.

The importance of his undertaking in India can hardly be estimated. It is known that there are upward of 200,000 deaf-mutes in India, with practically no schools for their education.

RECEIPTS AND EXPENDITURES.

The receipts and expenditures for the year under review will appear from the following detailed statements:

SUPPORT OF THE INSTITUTION.

RECEIPTS.

Balance from old account	$165.30
Received from the Treasury of the United States	64,000.00
Received for—	
Board, tuition, and room rent	6,931.25
Work in shop	277.40
Received from manual labor fund	480.00
Received for—	
Old horsepower	25.00
Pigs	102.55
Old metal	11.05
Damage to grounds	2.00
Hay	35.75
Brick from old house	200.09
Total	72,230.39

EXPENDITURES.

Expended for—	
Salaries and wages	$37,244.77
Miscellaneous repairs	3,933.39
Special repairs	1,000.00
Plumbing, sewerage, etc	869.55
Painting	129.25
Household expenses, marketing, etc	3,264.67
Meats	5,043.20
Groceries	3,597.23
Bread	1,559.25
Butter and eggs	1,928.07
Medical attendance	469.00
Telephone, electric clocks, etc	169.50
Furniture	420.15
Lumber	557.03
Dry goods	434.74
Gas	1,322.39
Paints, oils, etc	456.94
Fuel	2,372.75
Feed	931.52
Medicines and chemicals	306.53
Books, stationery, and school apparatus	472.62

Expended for—	
Hardware	$631.75
Plants, seeds, tools, etc	236.86
Blacksmithing	192.50
New carriage and carriage repairs	608.75
Ice	410.80
Manure	100.00
Live stock	465.00
Harness and harness repairs	93.85
Incidental expenses	197.73
Crockery, etc	273.65
Stamped envelopes	43.40
Potatoes	220.30
Auditing accounts	300.00
Gymnasium apparatus and clothing	90.92
Printing	347.13
Expense of directors' meetings	51.00
Two farm carts	80.00
Astronomical observatory	225.00
Balance	358.78
Total	72,230.39

ESTIMATES FOR NEXT YEAR.

The following estimates for the fiscal year ending June 30, 1897, have already been submitted:

For the support of the institution, including salaries and incidental expenses, for books and illustrative apparatus, and for general repairs and improvements, $65,000.

For special repairs to the buildings of the institution and for the furnishing of the new buildings the erection of which was provided for by act of Congress approved March 2, 1895, $3,000.

The increase of $2,000 in the estimate for current expenses above the amount allowed by Congress for the current year is made necessary by the steady increase in the number of pupils. In 1893 we reported 140. Last year our numbers rose to 153. This year we report 159, and there is every reason to believe that next year will bring us a still larger number.

The estimate for repairs and furniture may be said to be absolutely necessary for the proper preservation of the property of the institution and to complete, suitably, the furnishing of the buildings recently erected in pursuance of the action of Congress.

The directors entertain the hope that these estimates may meet with your approval and receive favorable action by Congress.

CONVENTION OF INSTRUCTORS AT FLINT, MICH.

A very important meeting of instructors of the deaf was held early in July at the Michigan Institution for the Deaf and Dumb.

This institution was represented by its president, with Professors Fay and Gordon, of the college faculty, and Messrs. Denison and Ballard of the Kendall School.

The meeting was the fourteenth of the Convention of American Instructors of the Deaf, and included representatives of schools from all parts of the United States and from Canada. Advocates and promoters of all existing methods were present, valuable papers were read, interesting discussions took place, and instructive illustrations of normal work were presented.

This convention, which has met from time to time, somewhat irregularly, during upward of forty years, perfected a formal organization at

Flint, and in the constitution which was adopted made a declaration of principles as to methods which is gratifying to the officers of this institution; for it has been our firm conviction for many years that no single method could suffice for the full education of all the deaf. We have made use in the work of this institution of manual, oral, and auricular methods, according to the needs of various pupils. It was therefore most pleasing to us that the following should have been made a part of the organic law of the profession of educators of the deaf in America:

Whereas, the experience of many years in the instruction of the deaf has plainly shown that among the members of this class of persons great differences exist in mental and physical conditions and in capacity for improvement, making results easily possible in certain cases which are practically and sometimes actually unattainable in others, these differences suggesting widely different treatment with different individuals; it is therefore

Resolved, That the system of instruction existing at present in America commends itself to the world, for the reason that its tendency is to include all known methods and expedients which have been found to be of value in the education of the deaf, while it allows diversity and independence of action, and works at the same time harmoniously, aiming at the attainment of an object common to all.

Resolved, That earnest and persistent endeavors should be made in every school for the deaf to teach every pupil to speak and read from the lips, and that such effort shall be abandoned only when it is plainly evident that the measure of success attained does not justify the necessary amount of labor.

Provided, That the children who are given to articulation teachers for trial should be given to teachers who are trained for the work, and not to novices, before saying it is a failure; and

Provided, That a general test be made, and that those who are found to have sufficient hearing to distinguish sounds shall be taught orally.

This broad platform, which sets forth in unmistakable terms the objects and aim of what may properly be called "the American system of educating the deaf," deserves, and, we believe, will in due time receive, the commendation and support of instructors of the deaf throughout the world.

All of which is respectfully submitted by order of the board of directors.

EDWARD M. GALLAUDET,
President.

Hon. HOKE SMITH,
Secretary of the Interior.

APPENDIX.

CATALOGUE OF STUDENTS AND PUPILS.

IN THE COLLEGE.

From Alabama.

James W. Sowell.

From Colorado.

Paul D. Hubbard.
Max Kestner.
Sarah Maria Young.
Ethel Zoe Taylor.

From Connecticut.

Harry S. Lewis.
Deborah H. Marshall.

From Delaware.

Gertrude Parker.

From Georgia.

Albert H. Sessoms.

From Illinois.

Benjamin F. Jackson.
Clarence A. Murdey.
George B. Whitlocke.
Robert L. Erd.
Helena Rose Leyder.
Eliza Ann Gabler.
Asa Albert Stutsman.
Charles W. Haig.
George T. Powell.

From Iowa.

Christina Thompson.
Arnold Kiene.
William G. Ashman.
John H. Brockhagen.
Lilla E. McGowan.
Waldo Henry Rothert.
Lyman Leroy Glenn.
Laura McDill.
Nellie May Pierce.
George Franklin Wills.
Owen G. Carrell.
Wilbert Paul Souder.
Robert Hemstreet.

From Kentucky.

Max Marcosson.
William E. Dudley.
Robert Zahn.
Littleton A. Long.

From Louisiana

Ross E. L. Nicholson.
Daniel Picard.

From Massachusetts.

Joseph C. Pierce.

From Michigan.

Albert Eickhoff.
Hoan C. De Long.
Josephine Smith Titus.
Elizabeth H. Taylor.

From Minnesota.

Ralph H. Drought.
Jay Cooke Howard.
Herbert C. Merrill.
James S. Bowen.
Marie E. Patenaude.
Peter Miklas Peterson.
Edith Vandegrift.
Louis A. Roth.

From Missouri.

Joseph B. Bumgardner.
Clara Logan Waters.
Arthur O. Steidemann.
Howard L. Terry.
Florence P. E. Phelps.

From Mississippi.

Hiram T. Wagner.

From Nebraska.

George W. McDonald.

From New Hampshire.

George E. Clouthier.

From New York.

Bertha Block.
May Martin.
Nellie C. Price.
Josephine M. Daly.
Mary Louise Elsworth.
Julia A. Hemphill.

From New Jersey.

Minnie G. Mickle.

From North Carolina.

Ernest Bingham.
Mary Allison.

From Ohio.

Franklin C. Smielau.
William A. Ohlemacher.
Clara Runck.
George Vernon Bath.
Minnie Easter Morris.
Albertus Wornstaff.
Cloa Margaret Lamson.

From Pennsylvania.

George F. Grimm.
Andrew J. Sullivan.
Laura V. Frederick.
Harvey W. Peter.
Emma R. Kershner.
May Evelyn Stemple.
George E. Fister.
Cora M. Reed.
Sadie Eliza Griffis.
Margaret May Toomey.
Emma Matilda Prager.

From South Carolina.

Sarah Antoinette Rogers.

From Tennessee.

Jesse T. Warren.
Walter B. Rosson.

From Texas.

George Albert Brooks.
William Henry Davis.
Andrew D. Hodges.

From Vermont.

Albert Heyer.

From West Virginia.

Lillian Ada Watts.
John Ernest Stuck.

From Washington State.

Edmund M. Price.

From Wisconsin.

William H. Cusack.
Richard Wallace Williams.
James William Conrad.
Francis J. Reynolds.

From the District of Columbia.

Roy James Stewart.

From Canada.

Alfred Harper Cowan.

IN THE PRIMARY DEPARTMENT.

Females.

Annie S. Bennet, Delaware.
Emily Lucile Bennet, District of Columbia.
Florence Brown, District of Columbia.
Charlotte Croft, South Carolina.
Bertha Conaway, Delaware.
Jennette L. Dailey, District of Columbia.
Sarah L. Dailey, District of Columbia.
Maggie Dougherty, Delaware.
Mattie Hurd, Delaware.
Tena F. Jones, Delaware.
Carrie King, District of Columbia.
Nellie Lynch, Delaware.
Laura Mayer, Delaware.
Mabel Magee, Delaware.
Caroline E. Moran, District of Columbia.
Gertrude Parker, Delaware.
Florence P. E. Phelps, Missouri.
Gertrude Price, District of Columbia.
Mary Spurry, Delaware.
Carrie Strong, District of Columbia.
Sadie E. Talbert, District of Columbia.
Emma A. Vail, District of Columbia.
Maggie Vaughn, District of Columbia.
Johanna Zettel, New York.

Males.

John Alexander Braithwaite, Canada.
William Brown, District of Columbia.
Howard Breeding, Delaware.
Frank Carroll, District of Columbia.

Males—Continued.

Harry H. Carr, District of Columbia.
John D. Clark, Delaware.
Lee Clark, Connecticut.
George Clouthier, New Hampshire.
Hugh Dougherty, District of Columbia.
Jacob Eskin, District of Columbia.
Ernest Foskey, Delaware.
Frederick Hall, District of Columbia.
Herbert Jump, Delaware.
Raymond Johnson, District of Columbia.
Dike Kerr, Indiana.
Louis Kirst, Wisconsin.
George E. Keyser, District of Columbia.
William Lowell, District of Columbia.
Merrill A. Manley, Minnesota.
Simon Mundheim, District of Columbia.
Joseph L. Norris, Virginia.
Walter B. Overton, Kentucky.
John O'Connor, Minnesota.
George A. Ottinger, Tennessee.
Fred P. Parli, Nebraska.
William Phelps, Missouri.
Herman Probst, New York.
Carl Rhodes, District of Columbia.
Alexander Swanson, Canada
Arthur L. Swarts, Delaware.
Richard T. Thomas, District of Columbia.
Joseph Wertzbomski, Delaware.
James Woody, District of Columbia.
Bickerton L. Winston, Virginia.

REGULATIONS.

I. The academic year is divided into three terms, the first beginning on the Thursday before the last Thursday in September and closing on the 24th of December; the second beginning the 2d of January and closing the last of March; the third beginning the 1st of April and closing the Wednesday before the last Wednesday in June.

II. The vacations are from the 24th of December to the 2d of January and from the Wednesday before the last Wednesday in June to the Thursday before the last Thursday in September.

III. There are holidays at Thanksgiving, Washington's Birthday, Easter, and Decoration Day.

IV. The pupils may visit their homes during the regular vacations and at the above-named holidays, but at no other time, unless for some special, urgent reason, and then only by permission of the president.

V. The bills for the maintenance and tuition of pupils supported by their friends must be paid semiannually, in advance.

VI. The charge for pay pupils is $250 each per annum. This sum covers all expenses in the primary department except clothing, and all in the college except clothing and books.

VII. The Government of the United States defrays the expenses of those who reside in the District of Columbia, or whose parents are in the Army or Navy, provided they are unable to pay for their education. To students from the States and Territories, who have not the means of defraying all the expenses of the college course, the board of directors renders such assistance as circumstances seem to require, as far as the means at its disposal for this object will allow.

VIII. It is expected that the friends of the pupils will provide them with clothing, and it is important that upon entering or returning to the institution they should be supplied with a sufficient amount for an entire year. All clothing should be plainly marked with the owner's name.

IX. All letters concerning pupils or applications for admission should be addressed to the president.

X. The institution is open to visitors during term time on Thursdays only, between the hours of 10 a. m. and 3 p. m. Visitors are admitted to chapel services on Sunday afternoons at a quarter past 3 o'clock.

XI. Congress has made provision for the education, at public expense, of the indigent blind of teachable age belonging to the District of Columbia.

Persons desiring to avail themselves of this provision are required by law to make application to the president of this institution.

REPORT

OF

THE FREEDMEN'S HOSPITAL.

FREEDMEN'S HOSPITAL,
Washington, D. C., July 1, 1895.

SIR: In submitting the annual report of the work done at the Freedmen's Hospital during the fiscal year ending June 30, 1895, I desire to call attention to so much of the past history of the institution as will serve to show how complete a change has been wrought in recent years, not only in the internal conditions here, but also in the sentiment with which the public mind has come to regard the hospital and its work.

I can speak all the more freely of these matters since my own management of the hospital has been of such short duration (less than a year) as to render it unlikely that anyone will be disposed to account for the improvements in the hospital service by attaching any undue credit to the present management of its affairs.

This hospital was established during the last years of the late war by the Freedmen's Bureau, and was located at first in that section of the city known now as LeDroit Park, and lying adjacent to the present grounds of the hospital.

Washington was at that time a military city, under military government, and it afforded in many ways an asylum for the large number of fleeing colored refugees from the neighboring Southern States, who were received here and cared for as contrabands of war.

In a mass of people such as these were—without homes, clothing, or food—sickness, disease, and death found easy victims, and it soon became a question of public concern as how best to care for the destitute sick of this multitude of people.

Under the pressure of such circumstances this hospital was established with funds provided by Congressional appropriation, and for the benefit primarily of the poorer class of colored people who needed the care and the comfort of hospital service. The limited means first given to the hospital did not enable it to provide the best, or even suitable, facilities for carrying on its work, but as the demands grew larger the means were increased and the facilities improved.

The change of quarters to the present site was made in 1869.

The general public was slow to appreciate and take advantage of the facilities offered here for the proper treatment of the sick; and the fact that the Freedmen's Hospital was, as its name implies, held to be conducted especially for the benefit of the lately freed people, operated to discount the professional character of the whole institution, not only in the minds of the white people of this community, but in the minds of the more favored portions of the colored people as well. This prejudice against the hospital in the public mind has been gradually overcome by the marked improvement in the service afforded at the hospital by the increased facilities employed there, and by the location of the medical department of the Howard University within the hospital grounds. In a word, the fostering care of the Government has made of the hospital a national institution, overstepping the limitations of race, color, or creed, and opening wide its doors to the sick and helpless from every condition of life.

But no account of this new condition at the hospital would be true that did not properly emphasize the valuable services contributed through the professional skill and executive ability of my predecessors, one and all, in the management of the institution. Through the efficiency of their administrations the hospital has grown from a small, unorganized institution, with a few patients of the poorer classes of colored people, into a well-organized, systematic institution, equipped with many modern facilities, classified into several departments of practical hospital work, and receiving as patients men and women of both races and of all classes.

Since assuming personal charge of the hospital in September, 1894, it has been my purpose to carry out and extend the policy of progress and improvement pursued by my predecessor, and to direct the work of the hospital along those broad, practical business lines that would make of it a first-class hospital in every essential particular.

With this object in view I have undertaken to establish a system of

INTERNES,

a corps of young graduates from various medical schools, who might be received here for practical work in the line of their profession preliminary to entering fully upon their professional career. In nearly every first-class hospital in this country and in Europe the practice has obtained of receiving the medical graduates as internes, giving them temporary residence within the hospital, and assigning to them duties in all the wards of the hospital and in every branch of its professional work. In this system the internes get the benefit of a varied practical experience along the line of their profession, and the hospital is benefited by being relieved of the necessity for keeping on its pay rolls a large number of practicing physicians who at best can give but a small part of their time to the regular work of the hospital.

In adopting this system at the Freedmen's Hospital I have been prompted, first, by the consideration of its business advantage to the hospital, and secondly, by the fact that it offers the best possible chance to place within the reach of young colored medical graduates an opportunity for advancement which unfortunately is not accorded them, so far as I am aware, in any other hospital in the United States, except in the Provident Hospital in the city of Chicago.

I am glad to be able to report that up to the present time the practice of the system at this hospital has yielded very satisfactory results, and that the outlook for the future is full of hope and encouragement.

The young men thus far selected have been intelligent, capable, earnest, industrious, and painstaking in their work, and reflect credit upon their profession. The manner in which they have discharged their duties has certainly demonstrated the wisdom of the plans as applied to this hospital, and has greatly minimized the labor heretofore performed by the managerial staff, since the major part of the scientific work is now done by the internes, and under such proper safeguards of direction as will prevent the occurrence of error. It is my intention to appoint annually, through competitive examinations, as many internes as the necessities of the work will require, such appointment to last one year, and to carry with it a small allowance to cover the personal expenses of the interne during his one year's residence at the hospital.

Another feature of modern hospital work which I have endeavored to add to this hospital is a

TRAINING SCHOOL FOR NURSES.

Like the interne system, the training school for nurses has its practical and its professional advantages. Just in proportion as the modern medico-scientist with his new and varied appliances has advanced beyond the rural quacks of the past, so must the modern nurse, the physician's indispensable aid, advance beyond her red-bandannaed predecessor, whose "broken" doses and quiet vigils have done quite as much as disease has done to populate the other world. The physician must depend almost as much upon the nurse as upon his physics for the beneficial results of his professional service, and that nurse is best fitted for the work whose intelligence is conducted along professional lines; who knows most about the human system, its friends and its foes, its dangers and its blessings, and who adds to a tender sympathy a comprehensive knowledge.

The practice of medicine and surgery to-day demands the aid of such nurses; and the hospitals of the country, quick to discern the needs of the sick room, have undertaken to supply this great need by establishing schools for the efficient and comprehensive training of young women who are willing to follow as a life profession this humanitarian and scientific calling.

The establishment of such a school at this hospital has been successfully effected. I was led to take this step by the considerations above

stated, and also by my desire to open a new industrial opportunity to the many capable young colored women who are being graduated year after year from our public schools, and against the majority of whom nearly every avenue of lucrative employment is closed.

In the nature of things only a few of these young women can obtain positions in the public schools each year, and the civil service offers still fewer chances to the District residents. From other industrial lines that call for the exercise of intelligent judgment and trained ability, such as stenographers, typewriters, and clerks in stores and business offices, and other similar vocations, these young women are rigidly excluded by the operations of a prejudice that can neither be denied nor controlled.

This training school for nurses affords not only a scientific but an industrial education of a high grade, and broadens the field of usefulness for a large number of hitherto unemployed persons who are eager to secure employment.

The introduction of this feature into the hospital work has produced very satisfactory results. These young women, with their quick intelligence, their eager ambition, and their faithfulness to duty greatly improved the condition of things in every ward in the hospital. This training school is under the superintendence of Miss Sarah O. Ebersole, a graduate of the Illinois Training School for Nurses; and her experience and splendid discipline have made the school a complete success.

I deem it proper at this point, Mr. Secretary, to express my deep appreciation for the kindly interest you have manifested in the efforts I have made to establish both the system of interns and the training school for nurses, and of your hearty cooperation with regard to both plans.

These projects have been undertaken with special reference to the special opportunities they afford for advancing the material interests of young colored men and women, and I have been greatly encouraged in the work both by your helpful sympathy and by the many facilities which you have kindly placed at my disposal.

My experience in hospital work has shown me the necessity for establishing

AN AMBULANCE SYSTEM

to meet the needs of the great number of emergency cases that necessarily arise in a city of the size and character of Washington.

Accordingly I fitted out an ambulance for the use of this hospital about the 1st of January last, and have held it subject to the call of emergency cases at all hours of the day and night. An experienced interne accompanies the ambulance on each trip it makes, and on returning to the hospital the patient is carried immediately to the examining room, where the attention of the physician in charge is given to the case.

Up to the present time the ambulance has answered an average of thirty calls a month. The ambulance now in use is not up to the modern standard of such vehicles, but it was the best that could be procured with the means at hand. Through the kindly cooperation of the Commissioners of the District I have reason to believe that a new and modern ambulance will be provided for the use of the hospital out of the present appropriation. This provision will greatly aid our work in that direction, and enable us to offer prompter and more satisfactory service to the general public.

With a view to systematizing the work of the hospital so as to produce the best possible results, I have organized it into the following departments: Medical, surgical, gynecological, obstetrical, dermatological, and genito-urina diseases, throat and chest, pathological, and bacteriological. And in these several departments the work is performed under the supervision of a medical staff composed of gentlemen who have achieved eminent success as practitioners in their respective lines of professional work.

During the past year considerable public discussion was had regarding the location of a

HOSPITAL FOR CONTAGIOUS DISEASES,

and it seemed at one time as though the Commissioners of the District intended to select one of the wards of this hospital for that purpose. This plan, however, was abandoned through your kind intervention. It seemed to me at the time that such a step would work a serious hardship to the inmates of this hospital, and I refer to the fact now mainly to express to you again the sense of appreciation which I feel for the prompt and humane consideration given by you to the whole matter, thus averting what might have seriously interfered with the progressive work of this institution.

Under your direction the working force of this hospital has been so reorganized as to serve the double purpose of securing the best possible service with the funds appropriated and of affording the greatest good to the greatest number. The appointment of a nonsalaried medical staff, such as usually help to do the work of every first-class hospital in this city and throughout the United States, has rendered necessary the practical abolition of the positions of the first and second assistant surgeons, whose duties are efficiently performed by the staff of over twenty physicians and the corps of resident interns under the supervision of the surgeon-in-chief. I am of the opinion that the work of this hospital can always be performed by the medical staff, the corps of interns, and a surgeon-in-chief. It would be manifestly unfair to the entire staff to accept their professional services gratis while two assistants are retained at high salaries for just such service as is rendered by the staff.

While this institution is, in a large sense, a race institution, there is no good reason for permitting sentiment to dominate sense in the control of its affairs, and every means should be resorted to to make the hospital first-class in every respect.

I would recommend that the executive business of this hospital be placed under the control of a surgeon-in-chief and a superintendent or warden, the duty of which latter officer should be to look after the business affairs of the institution.

I would here repeat the recommendation made in the last annual report submitted to you with reference to securing such legislation as shall provide for the needed improvements in the buildings now occupied by the hospital. There is very urgent necessity for a new modern brick building of sufficient dimensions to contain all the outlying buildings of the hospital. This building should be equipped with every modern facility for carrying on our work in all its varied departments, and contain suitable quarters for the residence of those actually engaged in the hospital work. At present the ward accommodations are afforded by several frame structures scattered about the grounds at more or less remote distances from the main building, and provided with but meager facilities for heating, lighting, and ventilation.

The hospital for years has been compelled to transfer patients on stretchers from the different wards to the operating room whenever a surgical operation had to be performed; and this difficulty has just been obviated by the erection of an inclosed passage between the main building and one of the wards, so that patients can now be carried to the operating room without being exposed to inclement weather. The cost of such new building as is needed would be $75,000, and an additional $25,000 would be needed to equip the building with the necessary facilities for the work to be done. I would also recommend that in future legislation touching the management of the institution the surgeon-in-chief be required by law to reside at the hospital. Under the present arrangement of forces here it is absolutely necessary that the services of the surgeon-in-chief be constantly available for emergencies and for the current routine work of the hospital. In my own experience during the past year there have been more than a hundred calls for immediate services on the part of the surgeon-in-chief between the hours of 5 p. m. and 7 a. m., and this fact clearly demonstrates that an executive officer, to be of any practical benefit here, should be at all hours available within the hospital inclosure.

In the event that it is not deemed possible at this time to obtain provision for a new hospital building such as I have mentioned above, I would respectfully recommend that the present buildings be heated by steam, so that the matter of regulating the temperature of the rooms in which the sick are accommodated may be reduced to a certainty. A proper and prompt control of the temperature of the sick room is a sine

qua non in modern medical practice, and this is certainly not obtainable with the present means of heating now employed in the wards of this hospital.

The operation of the new plan of disbursement for the hospital by which the funds are disbursed by the Commissioners for the District of Columbia has proven entirely satisfactory, and I wish here to return to the Commissioners my thanks for the many official courtesies shown me in my official business at their office, and for the facilities afforded me by them in the discharge of my duties here. I desire to express my appreciation of the uniform kindness accorded me by Col. John Tracey, superintendent of charities; Auditor J. T. Petty, and Mr. F. O. Beckett, property clerk.

Rev. Dr. J. E. Rankin, president of Howard University, has taken a deep interest in the welfare of this hospital through its relation to the medical department of the university, and I wish to express my appreciation of the kind assistance rendered me by Dr. Rankin in many ways beneficial to the hospital.

During my temporary absence from the hospital through illness immediately after my appointment the hospital was placed under the management of Dr. John R. Francis, who was appointed first assistant surgeon; and on my return to duty I found the affairs of the hospital in such a creditable condition as to call forth this special mention of the efficiency and fidelity with which Dr. Francis discharged the duties assigned to him.

I would respectfully call your attention to the appended tables, which fully show the character and quantity of the work done here during the past year. I wish to call your attention to the increasing number of surgical cases which have come to the hospital during the past year. This fact may be accounted for by the addition of the ambulance system to the hospital service, thus bringing to the hospital a greater number of emergency and surgical cases than have heretofore come under our supervision.

This experience has led to the completion of improved facilities for giving prompt attention to all emergency cases. A special ward has been fitted up for this service and a special detail of interns and nurses has been made with a view to affording immediate relief to those who come to us through emergencies.

Very respectfully, yours,

DANIEL H. WILLIAMS,
Surgeon-in-Chief.

Hon. HOKE SMITH,
Secretary of the Interior.

Summary for year.

	White.			Colored.			Grand Total.
	Male.	Female.	Total.	Male.	Female.	Total.	
Remaining June 30, 1894	25	7	32	106	106	212	228
Admitted	361	77	438	915	895	1,810	2,248
Born	8	4	12	105	111	216	228
Total	369	81	450	1,020	1,006	2,026	2,476
Total in hospital	394	88	482	1,126	1,112	2,238	2,720
Discharged	362	78	440	897	927	1,824	2,264
Died	8	5	13	144	86	230	243
Stillborn	1	.....	1	10	14	24	25
Total	371	83	454	1,051	1,027	2,078	2,532
Remaining June 30, 1895	23	5	28	75	85	160	188

Diseases and conditions for which patients were treated and discharged from the hospital.

Diseases, etc.	Medical.		Surgical.		Gynecological.
	M.	F.	M.	F.	
Abscess:					
Superficial, of arm			1		
Abdominal wall			1		
Alveola			1	1	
Palmar			2		
In broad ligament					1
Ischio-rectal			1		
Scarpa's triangle			4		
Scrotal			2		
Specific inguinal			6	2	
Tubercular, axillary			3		
Adenitis:					
Tubercular, cervical			10	3	
Tubercular, inguinal			2	1	
Alcoholism	40	5			
Amenorrhoea					6
Amputation:					
Arm			1	1	
Condyle of femur				1	
Breast				9	
At kneejoint			1		
Leg			10		
Toes			3	1	
Fingers			1	1	
Penis			1		
Anæmia:					
Acute	2	3			
Chronic	2	4			
Aneurism:					
Innominate	1				
Arch of aorta	1				
Thoracic aorta	1	1			
Angina pectoris	3				
Ankylosis:					
Bony			1	1	
False				1	
Arthritis, tubercular			2	1	
Asphyxiation, gas	1				
Asthma:					
Cardiac	6	2			
Bronchial	10	3			
Atresia, vaginal					1
Bradycardia	1				
Bronchitis:					
Acute	30	12			
Capillary	5				
Chronic	25	13			
Bubo:					
Specific			26	8	
Suppurating			10	2	
Burns:					
Chest				1	
Burns—Continued.					
Face			1	1	
Neck				1	
Scalp			1		
Carbuncle:					
Malignant			1		
Simple			2	1	
Catalepsy	1				
Catarrh:					
Chronic pharyngeal	4	2			
Gastric	8	5			
Gastro-intestinal	5	3			
Nasal	8	6			
Cellulitis, diffuse, of arm			7	1	
Cervicitis:					
Catarrhal					2
Specific					1
Cervix, laceration					5
Chancre			7	2	
Chancroid			13	2	
Cholelithiasis			1	1	
Cholera morbus	2	3			
Chondroma, parotid gland			1		
Colic:					
Uterine					1
Hepatic	1	1			
Concussion, brain	2	1			
Condylomata, specific			3	1	
Contusion, abdomen				1	
Convulsions, uræmic	1	1			
Cystofibro, ovarian				1	
Cystitis:					
Acute	17	5			
Chronic	13	5			
Debility:					
General	20	4			
Senile	16	2			
Dementia	1	2			
Diarrhea	10	2			
Dislocation:					
Femur			1	1	
Tibia			1		
Last phalanyx thumb			1		
Inferior maxillary			3	2	
Humerus			2	1	
Dysentery	10	7			
Dysmenorrhea					7
Eczema	10	6			
Effusion, pleuritic	2	4			
Emphysema	5	2			
Endocervicitis					7
Endometritis					5

***Diseases and conditions for which patients were treated and discharged from the hospital*—Continued.**

Diseases, etc.	Medical.		Surgical.		Gynecological.
	M.	F.	M.	F.	
Enlarged prostate	6				
Enteritis:					
Acute	3	1			
Gastro	6	2			
Epididymitis			3		
Epilepsy	5	3			
Epilepsy, hysteric	1				
Epithelioma, breast			4		
Erysipelas, facial	3	1			
Exposure to cold	17	4			
Fever, typhoid	12	8			
Fibroid, uterus					3
Fissure, rectum			1	2	
Fistula in ano			4	4	
Fracture:					
Colle's			1		
External malleolus			1		
Femur			3	1	
Fibula			2	1	
Humerus			1	2	
Inferior maxillary			1		
Tibia, fibula			1	2	
Patella			3		
Ribs			1		
Skull			1	1	
Thyroid cartilage			1		
Tibia			3		
Tibia, compound			1		
Tibia, incomplete			1		
Frostbite			12	1	
Gangrene of foot, senile			2	1	
Gastralgia	10	3			
Gastritis		5			
Gonorrhea			5	3	
Heart:					
Mitral stenosis	5	4			
Mitral regurgitation	23	7			
Aortic stenosis	3	1			
Fatty degeneration	4	1			
Pericarditis	10	4			
Endocarditis	3	1			
Irritability	4	6			
Hemorrhage:					
Umbilical			1	1	
Cerebral			3		
Hemorrhoids			5	4	
Hernia:					
Inguinal			3	2	
Double inguinal			2		
Scrotal			1		
Strangulated			4		
Ventral				1	
Hydrocele			2		
Hypertrophy, prostate			3		
Hysteria		3			
Imbecility	2	1			
Influenza	9	9			
Locomotor ataxia	9	3			
Lumbago	12				
Lupus, ex	2				
Lipoma, back				1	
Lungs, œdema	7	2			
Malaria	41	13			
Mania, acute		1			
Masturbation	1				
Measles	1				
Meningitis:					
Cerebral	2				
Cerebro-spinal	12				
Traumatic spinal	1				
Menopause					5
Menorrhagia					3
Metritis:					
Chronic					4
Acute					5
Metrorrhagia					1
Myalgia	6	3			
Myocarditis		1			

Diseases, etc.	Medical.		Surgical.		Gynecological.
	M.	F.	M.	F.	
Necrosis:					
Phalanges				2	
Ischium			1	1	
Nephritis:					
Acute	4	5			
Chronic interstitial	24	13			
Chronic parenchymatous	21	5			
Acute suppurative	2				
Neuralgia:					
Trifacial	5	4			
Intercostal		2			
Intestinal		1			
Ovarian					2
Neurasthenia	9	1			
Nicotinism	1				
Obstruction, intestinal			5	2	
Œdema, pulmonary	1				
Opium habit	2	3			
Orchitis			7		
Osteomyelitis:					
Gummatous			6		
Tubercular			8	3	
Osteoma-antrum				1	
Ovaritis:					
Interstitial					1
Acute					4
Chronic					4
Paralysis:					
Agitans	2	1			
Musculo-spiral	2				
Trifacial	1	1			
Facial	1				
Paraplegia	4	1			
Hemiplegia	2	2			
Paraphimosis			1		
Paronychia	2	1			
Periastitis traumatic			1	3	
Peritonitis:					
Acute	2	7			
Chronic	1	4			
Tuberculosis		1			
Pertussis		1			
Pharyngitis:					
Acute	4	3			
Chronic	1	2			
Phimosis			12		
Pleurisy	7	1			
Pleurodynia		1			
Pleuro-pneumonia	4	2			
Pneumonia:					
Croupous	24	6			
Catarrhal	4	3			
Poisoning, opium	2				
Polypus uteri					1
Prolapsus uteri					3
Ptyalism	1				
Pyosalpinx					7
Rheumatism:					
Acute articular	62	13			
Chronic articular	20	11			
Rheumatoid arthritis	2				
Rupia				1	
Salpingitis					7
Sarcoma:					
Osteo-inferior maxillary			1		
Antrum			2		
Fibro scapula region				1	
Kidney			1		
Leg			1		
Scabies		1			
Scald			9	5	
Sciatica	10	2			
Senility	3	1			
Septicæmia		3			
Snakebite			1		
Spondylitis, tubercular	1				

Diseases and conditions for which patients were treated and discharged from the hospital—Continued.

Diseases, etc.	Medical.		Surgical.		Gynecological.
	M.	F.	M.	F.	
Sprain:					
Ankle			1		
Vertebral			2		
Wrist			2	1	
Stricture, urethral			8		
Sunstroke	10				
Synovitis:					
Tubercular			2	2	
Acute			1	1	
Chronic			1	2	
Syphilis:					
Hereditary				1	
Secondary			9	4	
Tertiary			3	3	
Titanus	4				
Tonsillitis:					
Suppurative	6	3			
Acute	10	3			
Chronic	4	2			
Follicular	1				
Toxæmia (insect sting)	1				
Tuberculosis:					
Pulmonary	33	11			
Acute miliary	11	3			
Tumor, phantom				1	
Ulcer:					
Simple			1		
Chronic			22	7	
Specific			1		
Indolent			1		
Hemorrhagic			1		
Uterus:					
Infantile					1
Uterus—Continued.					
Myo-fibroma					5
Retroversion					3
Antiversion					7
Antiflexion					3
Retroflexion					1
Vaginismus					1
Vaginitis:					
Simple					1
Specific					3
Varicocele			11		
Variola		2			
Veins, varicose, leg			1	1	
Wound:					
Abdomen, contused			6	1	
Abdomen, incised			2	1	
Arm, incised			1	3	
Arm, contused			1		
Face, incised			7	4	
Foot, incised			9	2	
Hand, gunshot			3	5	
Knee			2		
Leg			6	2	
Leg, lacerated			4	1	
Lumbar region, lacerated				1	
Scalp, contused			21	4	
Scalp, incised			8	2	
Side, punctured			1		
Back, punctured				2	
Total	782	319	403	150	113

Number of surgical operations.

Diseases, etc.	Male.	Female.	Total.
Abscess:			
Broad ligament	....	1	1
Scarpa's triangle	4	....	4
Lumbar	1	1	2
Facial	1	....	1
Parotid	....	1	1
Psoas	1	....	1
Specific inguinal	5	1	6
Ischio-rectal	1	....	1
Cervical	1	....	1
Axillary	3	....	3
Adenitis:			
Tubercular, inguinal	1	1	2
Tubercular, cervical	1	....	1
Amputation:			
Condyle of femur	....	1	1
Leg	4	....	4
Leg, lower third	3	....	3
Leg, second	1	....	1
Phalanges	1	....	1
Tibia, lower third	2	....	2
Toes	3	1	4
Arm	1	1	2
Breast	....	5	5
Kneejoint	1	....	1
Index finger	....	1	1
Penis	1	....	1
Artherectomy, kneejoint	1	....	1
Aspiration, kneejoint	....	1	1
Blood cyst of bone	....	1	1
Circumcision	2	....	2
Condylomata:			
Extirpation	1	....	1
Syphilitic, cauterization	2	3	5
Curettment:			
Uterus	....	2	2
Tibial ulcer	1	....	1
Excision of ramus inferior maxilla	1	....	1
Excision of kneejoint	1	....	1
Extirpation:			
Glands, axilla, tubercular	3	3	6
Glands, inguinal tubercular	3	1	4
Glands, specific inguinal	1	....	1
Glands, cervical, tubercular	1	....	1
Glands, submaxillary	4	1	5
Fistula in ano	4	4	8
Fractures:			
Colle's	1	....	1
Skull	1	....	1
Femur	3	1	4
Thyroid cartilage	1	....	1
Inferior maxillary	1	....	1
Tibia and fibula	1	2	3
Fibula	2	1	3
Ribs	1	....	1
Ankle, compound	2	....	2
Tibia, compound	1	....	1
Tibia, greenstick	1	....	1
Tibia, lower third	3	....	3
External malleolus	1	....	1
Hemorrhoids	1	....	1
Hernia:			
Radical cure	5	2	7
Reduced	4	....	4
Hydrocele	1	....	1
Hysterotomy:			
Abdominal	....	5	5
Vaginal	....	1	1
Incision:			
Abdominal	1	....	1
Exploratory	1	....	1
Tibia, periosteal	....	1	1
Injection, tubercular knee	....	1	1
Ligation:			
Femoral artery	2	....	2
External carotid	1	....	1
Jugular vein	1	....	1
Saphenous vein	1	....	1
Necrotomy:			
Fibula	1	....	1
Metacarpal	4	....	4
Pelvic bones	....	1	1
Tibia	1	....	1
Osteomyelitis:			
Tibia	1	1	2
Tibia, tubercular	1	....	1
Radius	1	....	1
Kneejoint	....	1	1
Paracentesis of pleural cavity	....	1	1
Paraphimosis	1	....	1
Pyosalpinx, double	....	1	1
Restoration of perineum	....	1	1
Reduction dislocated:			
Femur	1	1	2
Tibia	1	....	1
Humerus	2	1	3
Inferior maxillary	3	2	5
Phalanx of thumb	1	....	1
Removal foreign body in œsophagus	....	1	1
Removal foreign body in eye	1	....	1
Removal retained placenta	....	3	3
Skin grafting	1	2	3
Splinter in foot, removal of	....	1	1
Urethrotomy	2	....	2
Varicocele	2	....	2
Varicose veins and ulcers	1	....	1
Volkmann's operation	3	....	3
Wounds:			
Bullet, lumbar region	1	....	1
Gunshot	1	....	1
Incised, arm	1	....	1
Incised, face	3	....	3
Incised, foot	....	1	1
Incised, finger	1	....	1
Incised, abdomen	1	....	1
Incised, scalp	5	3	8
Incised, back	....	2	2
Contused, back	1	....	1
Total	140	67	207

Number treated in obstetrical department.

	In hospital.	Out-patients.	Total.		In hospital.	Out-patients.	Total.
Abortion	12	1	13	**Pregnancy**	240	3	243
Childbirth	228	.....	228	**Puerperal fever**	1	.....	1
Miscarriage	7	.....	7	**Puerperal mania**	1	.....	1
Placenta retained	3	.....	3	**Stillbirths**	25	.....	25

Number treated in the eye and ear department.

Diseases, etc.	Treated in hospital.				Out-patient department.				Total.
	Eye.		Ear.		Eye.		Ear.		
	M.	F.	M.	F.	M.	F.	M.	F.	
Abscess:									
External ear								1	1
Eyelid					2				2
Lachrymal						1			1
Adenitis, lachrymal						1			1
Astigmatism					1	3			4
Hypermetropic					4				4
Myopic					5	5			10
Atrophy:									
Choroid					1				1
Optic nerve					6	6			12
Blepharitis					6	5			11
Burns:									
Conjunctiva					1				1
Eyeballs					1				1
Eyelids					1				1
Cataract	1	3			6	3			13
Capsular						2			2
Inflammatory					1				1
Traumatic						1			1
Catarrh:									
Acute aural								1	1
Chronic aural							10	4	14
Choroiditis					1				1
Closed pupil					1	2			3
Conjunctivitis	2	1			34	60			97
Catarrhal					2				2
Phlyctenular					1	10			11
Purulent	1								1
Cyclitis						1			1
Dacryadenitis					1				1
Deposits, ceruminous							5	3	8
Diplopia						1			1
Dislocation, lens						1			1
Ecchymosis:									
Conjunctiva					1	3			4
Eyelid	1				1	1			3
Ectropion					3				3
Eczema, ear							1	1	2
Enucleation		1			2	1			4
Epicanthus					1				1
Epiphora					2	1			3
Episcleritis					1	1			2
Foreign body in ear							1		1
Foreign body in eye	1				1	1			3
Glaucoma					1				1
Gumma, iris					1				1
Hernia, corneal	1								1
Hordeolum					1				1
Hypermetropia					5	1			6
Hyperopia						2			2
Hypertrophy, circum-corneal					1	2			3
Hypopyon					1	1			2
Injury, eyeball						1			1
Iridectomy					1	1			2
Iritis	3	5			7	8			23
Kerato					2	1			3
Syphilitic	2								2
Keloid growth, eye						1			1
Keratitis					15	9			24
Phlyctenular					5	6			11
Syphilitic		1							1
Ulcerative						1			1
Laceration, eye					1				1
Lost eye					5	4			9
Mucocele						2			2
Myopia					6	6			12
Myosis					2				2
Neuralgia, sup. orbital						1			1
Neuritis, optic		1				1			2
Nystagmus					1				1
Occluded pupil						4			4
Œdema of lid						2			2
Opacity, corneal					7	15			22
Opaque, corneal						1			1
Opthalmia:									
Gonorrheal					1				1
Purulent		1			3	2			6

Number treated in the eye and ear department—Continued.

Diseases, etc.	Treated in hospital.				Out-patient department.				Total.
	Eye.		Ear.		Eye.		Ear.		
	M.	F.	M.	F.	M.	F.	M.		
Otitis:									
Externa							1	1	2
Externa, acute								1	1
Media								3	3
Media, acute							2		2
Media, suppurative							2		2
Otorrhea							7		10
Pannus					1	1			2
Paralysis, facial					1				1
Pinguicula						1			1
Presbyopia					4	9			13
Pterygium					6	4			10
Retinitis						1			1
Skin graft, theirsch					2				2
Staphyloma, corneal					1				1
Strabismus						2			2
Tinnitus aurium							1	1	2
Trachoma with keratitis						1			1
Trichiasis					1				1
Tumor, tarsal					8	5			13
Ulcer:									
Conjunctiva						2			2
Cornea						5			5
Eye					1				1
Lid					1				1
Specific					1				1
Wound:									
Conjunctiva					1				1
Cornea						1			1
Eye	1								1
Iris						1			1
Lid						1			1
Xanthelasma					1				1
Total	13	13			172	216	30	19	463

Number of operations on the eye, ear and nose.

Diseases, etc.	Eye.		Ear.		Nose.		Total.
	M.	F.	M.	F.	M.	F.	
Abscess, eyelid	1						1
Adenitis, lachrymal		1					1
Cataracts	2	3					5
Cataracts:							
Capsular		1					1
Inflammatory	1						1
Deposits, ceruminous			5	3			8
Ectropion	3						3
Enucleation	2	1					3
Epiphora	1	1					2
Foreign body				1			1
Cornea	1	1					2
Hypopyon		1					1
Iridectomy	1	1					2
Mucocele		2					2
Otitis, media			1				1
Polypus, nasal						1	1
Pterygium	5	2					7
Skingraft, eyelid, theirsch	2						2
Staphyloma, corneal	1						1
Stenosis, nostril					1		1
Tumors, tarsal	5	4					9
Wound, eyelid		1					1
Total	25	19	6	4	1	1	56

Number treated in the out-patient department.

Diseases, etc.	Medical.		Surgical.		Gynecological.
	M	F.	M.	F.	
Abscess:					
Lumbar			11	2	
Alveolar				4	
Petro pharyngeal				1	
Antrum of high more			2		
Gluetial				2	
Facial			3		
Ischo rectal			7	1	
Acne	4	3			
Adenitis, tubercular			32	8	
Adenoma			7	7	
Alcoholism	6				
Amenorrhœa					39
Anæmia	20	46			
Angina pectoris	7	8			
Angina pseudo		2			
Ankylosis, acute			2		
Anorexia	1	2			
Antiflexion					1
Antiversion					2
Apthæ			2		
Arthritis			2		
Ascarides	1	2			
Asthenia	4				
Asthma	22	20			
Bronchial	2	1			
Balanitis			14		
Biliousness	4	8			
Blenorrhagia			1		
Bright's disease	23				
Bronchitis:					
Acute	320	299			
Capiliary	6				
Chronic	4	8			
Bubo			31	4	
Indurated			1		
Suppurative			1		
Sympathetic			1		
Bunion			2		
Burns			7	3	
Cancrum oris			2		
Carbuncle			1		
Catalepsy	2	1			
Catarrh:					
Acute nasal	20	21			
Chronic nasal		1			
Gastric	12	10			
Intestinal	12	5			
Cephalalgia	40	57			
Chancre			50	2	
Chancroid			44	4	
Chickenpox	1				
Cholera infantum	2				
Cholera morbus	1				
Chordee			1		
Chorea			1	2	
Colic, intestinal	2				
Condylomata			1	2	
Specific			1		
Congestion, cerebral		2			
Constipation	199	208			
Chronic	9	5			
Coryza	30	12			
Croup		1			
Cystitis:					
Acute		3			
Chronic	1	5			
Debility:					
General	34	35			
Senile	2	5			
Sexual	1				
Dementia		2			
Dentition	1				
Diarrhea	26	12			
Dislocation:					
Wrist				1	
Shoulder			3	2	

Diseases, etc.	Medical.		Surgical.		Gynecological.
	M.	F.	M.	F.	
Dislocation—Cont'd.					
Hip			1		
Ankle			3	7	
Dysentery	13	11			
Dysmenorrhea					32
Dyspepsia:					
Atonic	83	54			
Chronic	21	21			
Dyspnœa		1			
Eczema	53	31			
Squamous		1			
Endocervicitis					2
Endometritis					4
Enlarged clitoris					1
Enlarged milk duct					1
Enlarged prostate			1		
Epilepsy	3	5			
Epithelioma, cervix uteri					4
Erosion cervix uteri					13
Erysipelas	2	2			
Erythema	3				
Euphonia	1	1			
Examination, infantile uteri					1
Fibroma				2	
Fistula, recto-vaginal				2	
Frostbite	10				
Furuncle			4		
Gastralgia:					
Acute	12	17			
Chronic	11	16			
Gastritis	3	2			
Glands, tubercular	13	11			
Gleet			13		
Goitre				2	
Gonorrhea			140	8	
Gout	1				
Hæmaturia	3	11			
Hæmoptysis		1			
Heart:					
Pericarditis	20	15			
Endocarditis	30	12			
Mitral regurgitation	7	5			
Mitral stenosis	2	1			
Aortic regurgitation	1	1			
Aortic stenosis	1	2			
Hypertrophy	17	3			
Irritability	15	7			
Hemicrania		1			
Hemiplegia	1	6			
Hemorrhage:					
Cerebral			1		
Nasal				1	
Pulmonary			1	4	
Hemorrhoids			18	18	
Hepatorrhea	2				
Hernia:					
Inguinal			5		
Ventral				1	
Herpes	2				
Hydrocele			2		
Hysteria	5	26			
Impotency	8				
Incontinence of urine	12	7			
Indigestion, intestinal	15	8			
Influenza	23	26			
Insomnia	12	25			
Jaundice	11				
Laryngitis	160	42			
Leucorrhea					69
Locomotor ataxia	2				
Lumbago	14	6			
Lumbricoides	2	2			
Malaria	172	128			
Mastoiditis		2			

Number treated in the out-patient department—Continued.

Diseases, etc.	Medical.		Surgical.		Gynecological.
	M.	F.	M.	F.	
Masturbation	1				
Measles	5	2			
Menopause					19
Menorrhagia					21
Metritis:					
Acute					17
Subacute					20
Necrosis inferior maxillary			3	2	
Neuralgia:					
Trifacial	14	29			
Facial	1	12			
Intercostal	12	13			
Ovarian					15
Neurasthenia	24	2			
Odontalgia			6	10	
Orchitis			11		
Osteo-myelitis			4	7	
Ovaritis					7
Paralysis	11	6			
Paraphimosis			5		
Parotitis			2	3	
Periostitis	21	13			
Pertussis	1	2			
Pharyngitis, acute	188	195			
Phimosis			8		
Pleuritis	42	81			
Pneumonia	12	4			
Polypus, uterine					2
Prolapsus uteri					3
Pruritus vulva					9
Ptyalism		1			
Rheumatism:					
Muscular	80	20			
Articular	124	38			
Chronic	51	37			
Inflammatory	15	11			
Specific	22	12			
Rhinitis	208	92			
Salt rheum	1				
Scabies	10	5			
Sciatica		1			
Septicæmia		2			
Spermatorrhea	6				
Subluxation:					
Ankle			12		
Knee			2		
Shoulder			22		
Stomatitis	18	6			
Strangury			1		
Stricture:					
Urethral			22		
Rectal			1		
Synovitis			13	13	
Syphilis			52	26	
Congenital				1	
Hereditary			1		
Secondary			63	42	
Tertiary			30	27	
Thrush		2			
Tinea capitis	27	8			
Tinea circinati	4				
Tonsillitis:					
Acute	32	81			
Follicular	5	4			
Ulcerated		4			
Torpid liver	2	2			
Tuberculosis:					
Pulmonalis	27	22			
Glandular	51	31			
Ulcer:					
Acute			25	34	
Chronic			81	36	
Indolent			3	12	
Nasal				9	
Rectal			3		
Specific			15	10	
Varicose			1	8	
Urticaria	2	5			
Uvulitis	1				
Vaccinia			1	1	
Vaginitis					21
Vertigo, cerebellar	3	1			
Vulvitis					5
Whitlow			13	10	
Worms	2				
Wound:					
Lacerated, of scalp			34	16	
Arm, incised			21	9	
Contused, chest			6	1	
Contused, scalp			20	8	
Punctured, of back			8	3	
Foot lacerated			6	5	
Gunshot, of head			2		
Gunshot, of thigh			5		
Hand, incised			4	2	
Total	2,457	2,062	890	359	294

Nativtiy of patients.

Where born.	Male.	Female.	Total.	Where born.	Male.	Female.	Total.
Alabama	1		1	Massachusetts	15	6	21
Alaska	1		1	Mexico	3		3
Algeria	1		1	Michigan	2	1	3
Australia	3		3	Minnesota	1		1
Austria	1		1	Mississippi	4	2	6
California	2		2	Missouri	3	3	6
Canada	8	2	10	Nevada	1		1
Connecticut	5	1	6	New Hampshire	1		1
Delaware	2	2	4	New Jersey	3		1
Denmark	1		1	New York	40	11	51
District of Columbia, including births in hospitals	347	330	677	North Carolina	45	16	61
				Norway	1		1
				Ohio	9	2	11
England	7	2	9	Pennsylvania	41	7	48
Florida	2		2	Poland	1		1
France	3		3	Rhode Island	1	1	2
Georgia	9		9	Scotland	3		3
Germany	24	4	28	South Carolina			
Greece	2		2	Sweden	7		7
Hungary		1	1	Switzerland	3		3
Illinois	5		5	Tennessee	7		7
Indiana	1		1	Texas	3		3
Iowa	1	1	2	Unknown	53	76	129
Ireland	50	13	63	Virginia	409	373	782
Italy	2		2	West Indies	5		5
Kentucky	8	2	10	West Virginia	8	11	19
Louisiana	4		4	Wisconsin	3		3
Maine	1		1				
Maryland	206	214	420	Total	1,389	1,087	2,476

Occupation of patients.

Occupation.	Male.	Female.	Total.	Occupation.	Male.	Female.	Total.
Actress		1	1	Matron		1	1
Agent	1		1	Meat dealer	1		1
Artist	1		1	Mechanic	1		1
Baker	1		1	Merchant	1		1
Barber	20		20	Messenger	2		2
Bartender	1		1	Midwife		1	1
Bellman	6		6	Miner	2		2
Blacksmith	13		13	Minister	1		1
Boatman	2		2	Molder	3		3
Bookkeeper	2		2	Musician	2		2
Bootblack	2		2	Newsboy	1		1
Bricklayer	4		4	No occupation	115	119	234
Brickmolder	3		3	Nurse	1	12	13
Broker	1		1	Organ grinder	1		1
Butcher	4		4	Oysterman	4		4
Butler	2		2	Painter	15		15
Cabinetmaker	1		1	Paper hanger	3		3
Car driver	2		2	Peddler	1		1
Carpenter	11		11	Pharmacist	1		1
Caterer	1		1	Photographer	1		1
Chambermaid		4	4	Physician	2		2
Chiropodist	1		1	Plasterer	7		7
Civil engineer	2		2	Plate printer	1		1
Clerk	14	3	17	Plumber	2		2
Coachman	13		13	Policeman	1		1
Cobbler	1		1	Special	1		1
Cook	31	49	80	Porter	11		11
Cooper	1		1	Potter	3		3
Dairyman	1		1	Poultry dealer	1		1
Domestic		419	419	Pressman	1		1
Draftsman	1		1	Printer	4		4
Dressmaker		10	10	Pupil	11	9	20
Driller	2		2	Quack	1		1
Driver	28		28	Reporter	1		1
Dyer	2		2	Rigger	1		1
Engineer	8		8	Salesman	2		2
Expressman	1		1	Scale maker	1		1
Ex-soldier	48		48	Scissors grinder	1		1
Ex-U. S. Navy	13		13	Scullion	1		1
Farmer	24		24	Seaman	1		1
Fireman	4		4	Seamstress		9	9
Fisherman	2		2	Servant		174	174
Florist	3		3	Shoemaker	9		9
Fresco painter	1		1	Silversmith	1		1
Gardner	9		9	Slater	1		1
Glazier	1		1	Sport	1		1
Gravedigger	2		2	Steam fitter	2		2
Grocer	1		1	Stone mason	7		7
Hairdresser		1	1	Student	13		13
Harness maker	2		2	Surveyor	1		1
Hat man	1		1	Switchman	1		1
Hodcarrier	6		6	Tailor	3	1	4
Hostler	46		46	Teacher	1	1	2
Housekeeper		2	2	Telegrapher	1		1
Huckster	9		9	Tinner	10		10
Janitor	2		2	Undertaker	1		1
Jockey	11		11	Unknown	215	215	430
Junk dealer	1		1	Varnisher	1		1
Laborer	464		464	Waiter	58	1	59
Laundress		54	54	Watchman	4		4
Lawyer	4		4	Weaver	2		2
Letter carrier	2		2	Well digger	1		1
Lumberman	1		1	Wood sawyer	1		1
Machinist	3		3				
Maid		1	1	Total	1,389	1,087	2,476
Mason	1		1				

Cause of deaths.

Disease, etc.	Male.	Female.	Total.	Disease, etc.	Male.	Female.	Total.
Alcoholism	1	.....	1	Lypoma	1	.....	1
Anæmia, progressive	1	.....	1	Meningitis:			
Apoplexy	5	6	11	Basilar	1	.....	1
Bronchitis, capillary	2	1	3	Cerebro-spinal	1	.....	1
Carcinoma:				Suppurative	1	.....	1
Breast	.....	3	3	Mitral regurgitation	12	7	19
Stomach	1	.....	1	Nephritis:			
Congestion:				Acute	2	.....	2
Cerebral	1	1	2	Chronic	3	.....	3
Lungs	1	.....	1	Nervous shock	1	.....	1
Convulsions, epileptic	1	1	2	Œdema, lungs	2	1	3
Debility, senile	7	4	11	Paralysis, progressive	4	2	6
Diarrhea	1	3	4	Pericarditis, acute	.....	1	1
Enteritis, catarrhal	2	1	3	Peritonitis	3	6	9
Embolism:				Pleurisy	5	.....	5
Pulmonary	1	.....	1	Pneumonia	4	1	5
Cerebral	.....	1	1	Pleuro	2	3	5
Endocarditis	1	.....	1	Premature births	2	1	3
Epithelioma:				Pyrosalpingitis	.....	1	1
Uterus	.....	2	2	Pyæmia	2	.....	2
Penis	1	.....	1	Referred to coroner	1	.....	1
Erysipelas	.....	1	1	Sarcoma	3	.....	3
Fatty degeneration heart	1	.....	1	Syphilis	1	2	3
Fistula, rectal	1	.....	1	Tuberculosis	53	33	86
Fracture:				Typhoid fever	4	3	7
Skull	1	.....	1	Septicæmia	2	1	3
Spine	1	.....	1	Stab wound, thorax	1	.....	1
Hemorrhage, umbilicus	.....	1	1	Stenosis, aortic	2	1	3
Hernia, strangulated	3	.....	3	Shock	1	1	2
Hydrocephalus	1	.....	1	Uræmia	2	1	3
Hypertrophy, cardiac	.....	1	1				
Intestinal obstruction	1	.....	1	Total	152	91	243
Inanition	1	.....	1				

Number admitted each year for the past twenty-one years.

Year ending June 30—	Number.	Year ending June 30—	Number.	Year ending June 30—	Number.
1875	190	1882	1,102	1889	2,074
1876	319	1883	1,373	1890	2,302
1877	500	1884	1,509	1891	2,373
1878	519	1885	1,794	1892	2,331
1879	642	1886	1,923	1893	2,422
1880	819	1887	2,017	1894	2,801
1881	992	1888	1,997	1895	2,476

Number of cases treated during year in all departments of the hospital.

	Males.	Females.	Total.
Medical cases in hospital	781	319	1,100
Surgical cases in hospital	413	153	566
Gynecological cases in hospital	.....	113	113
Surgical operations in hospital	124	74	198
Eye cases in hospital	13	13	26
Obstetrical cases in hospital	.....	521	521
Medical cases in out-patient department	2,457	2,062	4,519
Surgical cases in out-patient department	890	359	1,249
Gynecological cases in out-patient department	.....	294	294
Eye cases in out-patient department	182	216	398
Ear cases in out-patient department	30	19	49
Operations, eye, ear, and nose, out-patient department	32	24	56
Deaths in hospital	152	91	243
Total	5,074	4,258	9,332

REPORT

OF

THE BOARD OF VISITORS OF THE GOVERNMENT HOSPITAL FOR THE INSANE.

OFFICERS OF THE HOSPITAL, JUNE 30, 1895.

VISITORS.

JOSEPH M. TONER, M. D., *President of the Board.*
Mrs. A. M. GANGEWER.
Hon. WILLIAM A. MAURY.
JOHN MOORE, M. D., U. S. A.
F. M. GUNNELL, M. D., U. S. N.
Rev. BYRON SUNDERLAND, D. D.
WALTER WYMAN, M. D., *Supervising Surgeon-General, M. H. S.*
Mrs. MARY E. FULLER.

EXECUTIVE COMMITTEE OF THE BOARD.

Messrs. TONER, GUNNELL, and MOORE.

CHAPLAINS.

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Rev. WILLIAM E. PARSON, D. D.
Rev. GILBERT F. WILLIAMS.
Rev. THOMAS B. HUGHES.
Rev. JACOB D. WILSON.

MEDICAL OFFICERS.

W. W. GODDING, M. D., *Superintendent and ex officio Secretary of the Board of Visitors.*
A. H. WITMER, M. D., *First Assistant Physician, in charge of Female Department.*
M. J. STACK, M. D., *Second Assistant Physician, in charge of Male Department.*
A. C. PATTERSON, M. D., *Third Assistant Physician, in charge of Howard Hall.*
J. C. SIMPSON, M. D., *Fourth Assistant Physician, in charge of Detached Buildings.*
C. H. LATIMER, M. D., *Fifth Assistant Physician, Male Department.*
G. W. FOSTER, M. D., *Sixth Assistant Physician, in charge of Toner Buildings.*
I. W. BLACKBURN, M. D., *Special Pathologist.*
J. A. BARRY, M. D., *Night Medical Supervisor.*

REPORT

OF

THE BOARD OF VISITORS.

GOVERNMENT HOSPITAL FOR THE INSANE,
Washington, D. C., August 31, 1895.

SIR: In accordance with the requirements of the law the Board of Visitors have the honor to submit this, the fortieth annual report.

The following tables present in concise form the statistics of the hospital year.

SUMMARY.

	Males.	Females.	Total.
Remaining June 30, 1894	1,277	404	1,681
Admitted during the year ended June 30, 1895	293	78	371
Whole number under treatment	1,570	482	2,052
DISCHARGED.			
Recovered	68	30	98
Improved	40	32	72
Unimproved	1	.....	1
Died	143	36	179
Total discharged and died	252	98	350
Remaining June 30, 1895	1,318	384	1,702

Admissions and discharges.

		Males.			Females.			Total.	
REMAINING JUNE 30, 1894.									
Army	White	708			2				
	Colored	16	724		.....	2		726	
Navy	White	76							
	Colored	1	77					77	
Marine-Hospital Service	White	17							
	Colored	3	20					20	
Civil life	White	318			269				
	Colored	138	456	1,277	133	402	404	858	1,681

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Admissions and discharges—Continued.

		Males.			Females.			Total.	
ADMITTED DURING THE YEAR 1895.									
Army	White	132							
	Colored	6	138					138	
Navy	White	14							
	Colored	2	16					16	
Marine-Hospital Service	White	4							
	Colored	.....	4					4	
Civil life	White	96			51				
	Colored	39	135	293	27	78	78	213	371
UNDER TREATMENT DURING THE YEAR.									
Army	White	840			2				
	Colored	22	862		.....	2		864	
Navy	White	96							
	Colored	3	93					93	
Marine-Hospital Service	White	21							
	Colored	3	24					24	
Civil life	White	414			320				
	Colored	177	591	1,570	160	480	482	1,071	2,052
DISCHARGED DURING THE YEAR—RECOVERED.									
Army	White	26							
	Colored	1	27					27	
Navy	White	6							
	Colored	1	7					7	
Marine-Hospital Service	White	1							
	Colored	.....	1					1	
Civil life	White	26			21				
	Colored	7	33	68	9	30	30	63	98
DISCHARGED DURING THE YEAR—IMPROVED.									
Army	White	17							
	Colored	.....	17					17	
Navy	White	4							
	Colored	.....	4					4	
Marine-Hospital Service	White	.....							
	Colored	.....							
Civil life	White	15			22				
	Colored	4	19	40	10	32	32	51	72
DISCHARGED DURING THE YEAR—UNIMPROVED.									
Army	White	.....							
	Colored	.....							
Navy	White	.....							
	Colored	.....							
Marine-Hospital Service	White	.....							
	Colored	.....							
Civil life	White	1							
	Colored	.....	1					1	1

Admissions and discharges—Continued.

		Males.			Females.			Total.	
DECEASED DURING THE YEAR.									
Army	White	77							
	Colored	2	79					79	
Navy	White	13							
	Colored	1	14					14	
Marine-Hospital Service	White	3							
	Colored	.....	3					3	
Civil life	White	27			23				
	Colored	20	47	143	13	36	36	83	179
REMAINING JUNE 30, 1895.									
Army	White	720			1				
	Colored	19	739		.....	1		740	
Navy	White	67							
	Colored	1	68					68	
Marine-Hospital Service	White	17							
	Colored	3	20					20	
Civil life	White	345			253				
	Colored	146	491	1,318	130	383	384	874	1,702

The patients from civil life remaining June 30, 1895, are classified as follows:

	Males.	Females.	Total.
District of Columbia, transient	74	24	98
District of Columbia, resident indigent	318	340	658
United States convicts and criminals	82	9	91
Private patients	3	.....	3
Total	477	373	850

Monthly changes of population.

Date.	Admitted.			Discharged.						Total discharges, including deaths.
							Died.			
	Males.	Females.	Total.	Males.	Females.	Total.	Males.	Females.	Total.	
July, 1894	26	12	38	17	18	35	11	3	14	49
August, 1894	37	6	43	4	4	8	11	1	12	20
September, 1894	6	10	16	13	4	17	7	4	11	28
October, 1894	16	4	20	9	5	14	17	4	21	35
November, 1894	42	7	49	11	4	15	10	1	11	26
December, 1894	22	4	26	3	3	6	14	2	16	22
January, 1895	22	4	26	7	.....	7	11	8	19	26
February, 1895	6	6	12	5	5	10	9	.....	9	19
March, 1895	23	5	28	3	1	4	20	1	21	25
April, 1895	45	5	50	4	8	12	11	3	14	26
May, 1895	36	11	47	30	5	35	13	8	21	56
June, 1895	12	4	16	3	5	8	9	1	10	18
Total	293	78	371	109	62	171	143	36	179	350

Cause of death.

Apoplexy	2	Pneumonia	2
Apoplexy, hemorrhagic	4	Pulmonary congestion	3
Asphyxia, accidental	2	Pulmonary gangrene	4
Bright's disease, chronic	8	Senectus	5
Cardiac valvular disease	18	Senectus with exhaustion	1
Carcinoma	1	Marasmus	5
Chronic nephritis with cardiac valvular disease	3	Thermic fever	3
Colitis	4	Fatty degeneration of heart	2
Diarrhoea	1	Exhaustion and heart failure	1
Epileptic convulsions	7	Enteritis	1
Epileptiform convulsions	5	Typhoid fever	1
Exhaustion from tabes mesenterica	1	Erysipelas	1
Exhaustion from acute mania	2	Empyema	1
Exhaustion from chronic mania	1	Fracture of skull (suicide)	1
General paralysis	14	Pernicious anæmia	1
Hæmatoma of dura mater	2	Chronic bronchitis	1
Inanition	2	Perityphlitis	1
Intracranial tumor	3	Cardiac thrombosis	2
Myocarditis, chronic	1	Senile gangrene	1
Œdema of brain	4	Hepatis and pulmonary abscess	1
Organic disease of brain	27	Pulmonary abscess	2
Peritonitis	5	La grippe	4
Phthisis	18	Total	179

Duration of mental disease of those who died.

Two weeks	1	Twelve years	5
One month	1	Thirteen years	6
Three months	2	Fifteen years	1
Four months	1	Sixteen years	4
Six months	4	Eighteen years	5
Nine months	4	Twenty-one years	4
One year	17	Twenty-two years	5
Two years	30	Twenty-five years	3
Three years	18	Twenty-seven years	3
Four years	13	Twenty-eight years	3
Five years	13	Thirty years	4
Six years	11	Thirty-three years	3
Seven years	4	Thirty-six years	1
Eight years	4	Thirty-eight years	1
Nine years	1	Forty-four years	1
Ten years	4		
Eleven years	2	Total	179

Duration of mental disease, on admission, of those who recovered.

Under 10 days	10	Between 6 and 8 months	9
Between 10 and 20 days	6	Between 9 and 12 months	4
Between 20 and 30 days	5	Between 1 and 2 years	11
Between 1 and 2 months	30	Over 2 years	3
Between 2 and 3 months	10		
Between 3 and 4 months	10	Total	98

Duration of disease on admission.

		Males.			Females.			Total.	
LESS THAN SIX MONTHS.									
Army	White	27							
	Colored	.....	27					27	
Navy	White	6							
	Colored	1	7					7	
Marine-Hospital Service	White	2							
	Colored	.....	2					2	
Civil life	White	40			26				
	Colored	14	54	90	14	40	40	94	130
LESS THAN ONE YEAR.									
Army	White	18							
	Colored	.....	18					18	
Navy	White	3							
	Colored	.....	3					3	
Marine-Hospital Service	White	.....							
	Colored	.....							
Civil life	White	14			3				
	Colored	6	20	41	3	6	6	26	47
ONE OR TWO YEARS.									
Army	White	59							
	Colored	2	61					61	
Navy	White	5							
	Colored	1	6					6	
Marine-Hospital Service	White	2							
	Colored	.....	2					2	
Civil life	White	28			10				
	Colored	10	38	107	2	12	12	50	119
OVER TWO YEARS.									
Army	White	11							
	Colored	1	12					12	
Navy	White	.....							
	Colored	.....							
Marine-Hospital Service	White	.....							
	Colored	.....							
Civil life	White	1			3				
	Colored	.....	1	13	1	4	4	5	17
OVER THREE YEARS.									
Army	White	2							
	Colored	.....	2					2	
Navy	White	.....							
	Colored	.....							
Marine-Hospital Service	White	.....							
	Colored	.....							
Civil life	White	2			1				
	Colored	.....	2	4	.....	1	1	3	5
OVER FOUR YEARS.									
Army	White	2							
	Colored	1	3					3	
Navy	White	.....							
	Colored	.....							
Marine-Hospital Service	White	.....							
	Colored	.....							
Civil life	White	1			1				
	Colored	.....	1	4	1	2	2	3	6

Duration of disease on admission—Continued.

		Males.			Females.			Total.	
FIVE TO TEN YEARS.									
Army	White	10							
	Colored	2	12					12	
Navy	White	.....							
	Colored	.....							
Marine-Hospital Service	White	.....							
	Colored	.....							
Civil life	White	5			2				
	Colored	3	8	20	2	4	4	12	24
TEN TO TWENTY YEARS.									
Army	White	1							
	Colored	.....	1					1	
Navy	White	.....							
	Colored	.....							
Marine-Hospital Service	White	.....							
	Colored	.....							
Civil life	White	1			1				
	Colored	1	2	3	4	5	5	7	8
OVER TWENTY YEARS.									
Army	White	2							
	Colored	.....	2					2	
Navy	White	.....							
	Colored	.....							
Marine-Hospital Service	White	.....							
	Colored	.....							
Civil life	White	2			3				
	Colored	3	5	7	1	4	4	9	11
UNKNOWN.									
Army	White	.....							
	Colored	.....							
Navy	White	.....							
	Colored	.....							
Marine-Hospital Service	White	.....							
	Colored	.....							
Civil life	White	2							
	Colored	2	4	4				4	4

Table showing the nativity, as far as could be ascertained, of the 9,588 cases treated.

Native born.	Number.	Foreign born.	Number.
District of Columbia	1,158	Ireland	1,681
New York	673	Germany	1,155
Maryland	740	England	221
Virginia	877	France	73
Pennsylvania	515	Canada	80
Ohio	316	Scotland	81
Massachusetts	219	Switzerland	39
Maine	97	Italy	36
Illinois	102	Denmark	32
Connecticut	73	Norway	31
New Hampshire	72	Sweden	36
Indiana	101	Poland	17
Kentucky	85	Prussia	8
Michigan	54	Panama	1
New Jersey	84	Russia	20
Tennessee	48	Austria	21
Wisconsin	40	Nova Scotia	12
Vermont	44	Spain	6
Missouri	48	Holland	10
Rhode Island	34	Wales	14
Delaware	20	Portugal	4
North Carolina	44	Hungary	6
Alabama	26	Mexico	6
South Carolina	21	Saxony	6
Iowa	13	Malta	3
Georgia	31	Belgium	4
Mississippi	25	Buenos Ayres	3
Louisiana	14	Costa Rica	1
West Virginia	26	Bavaria	8
Kansas	5	Sicily	2
Florida	8	British Columbia	1
Texas	12	British Possessions	1
California	8	East Indies (British)	6
Indian Territory	6	West Indies (British)	7
Colorado	1	New Brunswick	2
Arkansas	6	Cuba	2
Montana	1	China	1
Oregon	1	Sandwich Islands	1
Minnesota	2	Coast of Africa	2
Dakota	2	Cyprus	1
Utah	1	Greece	3
		Turkey	1
Total	5,653	New Granada	1
		West Indies (Haiti)	1
		Japan	1
		Newfoundland	1
		Total	3,649

RECAPITULATION.

Native born	5,653
Foreign born	3,649
Unknown	286
Total	9,588

Form of disease in those admitted.

Disease.	Total past year.	Admitted during year.	Total.	Disease.	Total past year.	Admitted during year.	Total.
Mania, acute	2,662	79	2,741	Dipsomania	450	4	454
Mania, chronic	1,374	15	1,389	Kleptomania	4	.....	4
Melancholia	1,763	122	1,885	Nymphomania	4	.....	4
Dementia	2,163	92	2,255	Imbecility	152	12	164
Dementia, senile	310	26	336	Opium eaters	20	1	21
Paresis	293	20	313	Idiocy	3	.....	3
Typhomania (Bell's disease)	2	.....	2	Not insane	16	.....	16
Diffuse suppurative meningitis	1	.....	1	Total	9,217	371	9,588

Tabular statement of the time of life at which the 9,588 cases treated since the opening of the institution became insane.

	Previous to 1894.	1895.	Total.
Under 10 years	221	11	232
Between 10 and 15 years	98	2	100
Between 15 and 20 years	470	7	477
Between 20 and 25 years	1,359	40	1,399
Between 25 and 30 years	1,528	38	1,566
Between 30 and 35 years	1,312	29	1,341
Between 35 and 40 years	1,002	36	1,038
Between 40 and 45 years	799	26	825
Between 45 and 50 years	659	38	697
Between 50 and 60 years	829	67	896
Between 60 and 70 years	516	42	558
Between 70 and 80 years	201	29	230
Between 80 and 90 years	31	4	35
Over 90	3	.....	3
Unknown	173	2	175
Not insane	16	.....	16
Total	9,217	371	9,588

Private patients.

	Males.	Females.	Total.
There were at the beginning of the year	4	.....	4
Whole number under treatment	4	.....	4
Discharged during the year	1	.....	1
Remaining at end of the year	3	.....	3

Summary of total admissions.

	Males.	Females.	Total.
Percentage of cases recovered	35.42	25.84	33.46
Percentage of cases improved	15.31	19.76	16.22
Percentage of cases unimproved	2.07	3.94	2.45
Percentage of cases died	29.93	30.85	30.11
Percentage of cases remaining	17.27	19.61	17.76
	100	100	100

Admissions, discharges, and deaths, with the mean annual mortality and proportion of recoveries, per cent of the discharges, including deaths, for each year since the opening of the hospital.

Year.	Admitted.			Discharged.												Remaining June 30 in each year.			Daily average.			Percentage of recoveries on discharges.			Percentage of deaths on average numbers.			Percentage of deaths on total number.		
				Recovered.			Improved.			Unimproved.			Died.																	
	M.	F.	Total.	M.	F.	Total.	M.	F.	Total.	M.	F.	Total.	M.	F.	Total.	M.	F.	Total.	M.	F.	Total.	M.	F.	Total.	M.	F.	Total.	M.	F.	Total.
1855	26	37	63	....	3	3	....	....	....	....	....	....	....	....	....	26	34	60	19.35	20.65	40.00	....	100.00	190.00	....	....	....	....	....	....
1855–56	36	11	47	3	2	5	....	....	....	....	1	1	5	3	8	54	39	93	41.20	37.98	70.18	37.50	33.83	35.71	12.13	7.09	10.10	8.06	6.66	7.48
1856–57	25	27	52	2	4	6	8	1	4	7	3	10	8	8	16	59	50	109	54.55	42.80	97.35	10.00	25.00	16.66	14.66	18.69	16.43	10.13	12.12	11.03
1857–58	29	14	43	13	5	18	1	1	2	2	....	2	7	6	13	65	52	117	57.70	50.31	108.01	56.52	44.66	51.42	12.13	11.92	12.03	7.95	9.37	8.55
1858–59	47	18	65	16	5	21	1	4	5	5	3	8	6	4	10	84	54	138	72.93	56.24	129.17	57.13	31.25	47.73	8.22	7.11	7.74	5.36	5.71	5.49
1859–60	68	24	92	26	7	33	4	3	7	3	2	5	13	5	18	106	61	167	100.68	59.00	159.68	56.52	41.17	52.38	12.91	8.47	11.27	8.55	6.41	7.25
1860–61	64	31	95	42	11	53	5	2	7	2	....	2	12	7	19	109	72	181	109.76	64.81	174.57	68.85	55.55	65.43	10.93	10.80	10.88	7.06	7.61	7.82
1861–62	174	12	186	96	8	104	14	1	15	....	....	....	26	10	36	147	65	212	123.75	65.74	189.49	70.59	42.10	67.09	21.01	15.21	19.00	9.18	11.90	9.81
1862–63	330	25	355	197	6	203	17	1	18	3	3	6	57	4	61	203	76	279	168.41	72.31	240.72	71.89	42.85	70.45	33.84	5.53	25.34	11.95	4.44	10.76
1863–64	484	25	509	282	6	288	69	1	70	5	....	5	67	8	75	364	86	350	205.73	77.66	283.39	66.66	40.00	65.75	42.56	10.30	26.40	1.75	7.92	9.51
1864–65	478	36	514	315	9	324	110	12	122	11	....	11	139	8	147	167	93	200	277.42	83.81	361.23	54.78	31.03	53.64	50.10	9.54	40.69	18.73	6.55	17.01
1865–66	194	28	222	104	5	109	20	7	27	10	1	11	41	12	53	186	96	282	190.92	90.70	281.62	59.42	20.00	54.50	21.47	13.23	18.82	11.35	9.91	10.99
1866–67	88	21	109	45	7	52	11	3	14	11	1	12	19	14	33	188	92	280	189.06	89.46	279.12	52.32	28.00	46.85	10.02	15.65	11.82	6.93	11.96	8.44
1867–68	120	33	153	49	15	64	6	2	8	5	1	6	22	5	27	226	102	328	221.17	96.44	317.61	59.75	65.22	60.95	9.95	5.18	9.50	7.14	4.00	6.23
1868–69	133	35	168	59	11	70	9	6	15	8	2	10	24	9	33	259	109	368	244.55	108.03	352.58	59.00	39.28	54.69	9.81	8.33	9.35	6.70	6.57	6.65
1869–70	146	36	182	32	8	40	16	8	24	11	3	14	15	3	18	331	123	454	294.69	108.08	402.77	43.24	36.37	41.67	5.09	2.77	4.36	3.71	2.05	3.27
1870–71	161	34	195	50	12	62	21	7	28	4	3	7	33	11	44	384	124	508	354.34	121.66	476.00	46.30	36.36	43.97	9.31	9.04	9.24	6.70	7.00	6.78
1871–72	142	44	186	43	8	51	16	13	29	8	1	9	37	7	44	422	139	561	407.21	131.57	538.78	41.34	27.59	38.34	9.09	5.32	8.16	7.04	4.17	6.34
1872–73	153	51	204	49	15	64	23	5	28	3	5	8	32	13	45	468	152	626	431.03	144.11	575.14	45.70	39.47	44.13	7.42	9.02	7.82	5.56	6.84	5.88
1873–74	192	38	230	67	12	79	22	8	30	6	3	9	39	11	50	526	156	682	492.44	151.36	643.80	50.00	35.29	47.02	7.92	7.27	7.76	5.91	5.79	5.88
1874–75	179	51	230	66	9	75	28	22	50	8	3	11	51	7	58	552	166	718	536.46	164.17	700.63	43.13	21.95	38.66	9.50	4.26	8.27	7.23	3.38	6.36
1875–76	166	47	213	67	17	84	26	10	36	1	....	1	48	18	66	570	168	744	564.78	165.59	730.37	47.18	37.78	45.45	8.49	10.87	9.04	6.68	8.45	7.09
1876–77	147	51	198	66	17	83	27	13	40	2	....	2	45	7	52	583	182	765	587.41	176.30	763.71	47.80	45.94	46.89	7.66	3.96	6.80	6.22	3.19	5.52
1877–78	138	44	182	49	11	60	32	9	41	3	4	7	37	9	46	600	193	793	596.82	184.37	781.19	40.49	33.33	38.96	6.19	4.88	5.88	5.13	5.98	4.35
1878–79	169	53	222	68	24	92	30	7	37	3	1	4	51	12	63	617	202	819	619.10	196.70	815.80	44.73	54.54	46.93	8.23	6.10	7.72	6.63	4.87	6.20
1879–80	181	44	225	38	14	52	23	10	33	....	3	3	46	13	59	691	206	897	655.34	196.63	851.97	35.51	35.00	35.37	7.01	6.61	6.92	5.76	5.28	5.65
1880–81	161	62	223	62	10	72	27	9	36	....	6	6	63	18	81	700	225	925	685.37	211.38	896.75	40.78	23.25	36.92	9.19	8.51	9.03	7.39	6.71	7.23
1881–82	178	69	247	62	21	83	31	8	39	2	5	7	74	27	101	709	233	942	697.10	232.88	929.98	36.69	34.43	36.08	10.61	11.59	10.86	8.44	9.18	8.61
1882–83	201	64	265	76	19	95	33	16	49	....	6	6	46	17	63	755	239	994	729.89	235.27	965.16	49.05	31.03	44.13	6.30	7.22	6.52	5.05	5.72	5.22
1883–84	286	64	347	68	13	81	35	8	43	3	1	4	51	16	67	884	262	1,146	797.21	243.27	1,040.48	42.03	34.21	40.51	6.39	6.57	6.44	4.90	5.33	4.99
1884–85	229	91	320	65	24	89	37	12	49	1	1	2	84	21	105	926	295	1,221	902.41	270.89	1,173.34	34.76	41.37	36.32	9.31	7.75	8.94	7.55	5.95	7.19
1885–86	234	69	303	55	22	77	58	15	73	2	3	5	79	23	102	966	301	1,267	936.39	283.23	1,219.62	28.35	34.92	29.96	8.54	8.12	8.36	6.81	6.32	6.69
1886–87	206	62	268	57	15	72	49	17	66	2	1	3	73	19	92	991	311	1,302	956.07	297.36	1,253.43	31.49	28.48	30.90	7.63	6.38	7.34	6.22	5.23	5.99
1887–88	247	71	318	59	10	69	52	14	66	3	1	4	95	25	120	1,029	332	1,361	1,009.55	315.55	1,325.08	28.23	20.00	26.64	9.41	7.92	9.06	7.67	5.64	7.41
1888–89	213	67	380	50	20	70	27	27	54	5	2	6	86	28	114	1,075	322	1,397	1,049.99	323.83	1,373.82	29.94	25.97	28.69	8.19	8.65	8.30	6.92	7.02	6.94
1889–90	274	71	345	39	6	45	43	6	49	....	3	3	112	28	144	1,115	350	1,505	1,108.57	326.53	1,435.10	20.10	13.95	18.12	10.13	8.59	9.76	8.30	7.48	8.04
1890–91	271	81	352	36	30	66	38	15	53	1	1	2	98	30	128	1,253	355	1,608	1,160.62	344.44	1,505.06	20.81	34.47	26.51	8.44	8.71	8.51	6.87	6.96	6.89
1891–92	233	70	303	56	12	68	69	13	82	8	3	11	121	32	153	1,232	365	1,597	1,226.64	348.65	1,575.29	22.05	20.00	21.66	9.86	9.18	9.71	8.14	7.53	8.01
1892–93	261	84	345	57	10	67	46	23	69	4	1	5	140	41	181	1,246	374	1,620	1,255.56	357.02	1,582.58	23.08	13.33	20.81	11.41	11.48	11.44	9.38	9.13	9.32
1893–94	273	88	361	49	13	62	49	16	65	6	....	6	138	29	167	1,277	404	1,681	1,248.16	369.91	1,618.07	20.24	22.41	20.66	11.31	7.84	10.32	9.08	6.27	8.42
1894–95	293	78	371	68	30	98	40	32	72	1	....	1	143	36	179	1,318	384	1,702	1,280.91	386.16	1,667.07	26.98	30.61	28.00	11.16	9.32	10.73	9.10	7.46	8.72

History of the annual admissions since the opening of the hospital, with discharges and deaths, and number for each year remaining June 30, 1895.

Year.	Admitted.					Of each year's discharged and died in 1895.												Total discharged and died of each year's admissions.												Remaining of each year's admissions June 30, 1895.		
	New cases.		Relapsed cases.		Total.	Recovered.			Improved.			Unimproved.			Died.			Recovered.			Improved.			Unimproved.			Died.					
	M.	F.	M.	F.		M.	F.	Total.	M.	F.	Total.	M.	F.	Total.	M.	F.	Total.	M.	F.	Total.	M.	F.	Total.	M.	F.	Total.	M.	F.	Total.	M.	F.	Total.
1855	26	37	...	...	63	...	...	...	...	...	...	...	...	...	...	...	...	1	3	4	1	1	2	3	4	7	20	27	47	2	2	4
1855-56	36	11	...	...	47	...	...	...	...	...	...	...	...	...	...	...	...	9	6	15	2	1	3	2	...	2	22	4	26	...	...	...
1856-57	24	25	1	2	52	...	...	...	...	...	...	...	...	...	...	1	1	8	6	14	3	3	6	3	4	7	11	12	23	...	2	2
1857-58	27	11	2	3	43	...	...	...	...	...	...	...	...	...	...	...	...	16	4	20	2	...	2	3	1	4	8	8	16	...	1	1
1858-59	45	15	2	3	65	...	...	...	...	...	...	...	...	...	...	...	...	12	5	17	6	5	11	6	2	8	22	6	28	1	...	1
1859-60	67	19	1	5	92	...	...	...	...	...	...	...	...	...	...	...	...	36	8	44	9	2	11	3	1	4	18	11	29	2	2	4
1860-61	60	30	4	1	95	...	...	...	...	...	...	...	...	...	...	...	...	38	15	53	5	3	8	2	...	2	19	11	30	...	2	2
1861-62	172	11	2	1	186	...	...	...	...	...	...	...	...	...	...	...	...	128	4	132	12	1	13	1	...	1	32	5	37	1	2	3
1862-63	323	18	7	7	355	...	...	...	...	...	...	...	...	...	...	...	...	228	5	233	36	6	42	2	4	6	62	8	70	2	2	4
1863-64	462	23	22	2	509	...	...	...	...	...	...	...	...	...	...	...	...	296	8	304	99	7	106	8	...	8	76	8	84	5	2	7
1864-65	452	34	26	2	514	...	...	...	...	...	...	...	...	...	1	...	1	264	7	271	66	7	73	13	1	14	127	21	148	8	...	8
1865-66	182	24	12	4	222	...	...	...	...	...	...	...	...	...	...	...	...	97	5	102	21	4	25	10	1	11	56	15	71	10	3	13
1866-67	71	18	17	3	109	...	...	...	...	...	...	...	...	...	2	...	2	42	8	50	6	3	9	8	...	8	25	7	32	7	3	10
1867-68	105	28	15	5	153	...	...	...	...	...	...	...	...	...	...	...	...	53	15	68	7	6	13	6	2	8	39	9	48	15	1	16
1868-69	114	32	19	3	168	...	...	...	...	...	...	...	...	...	...	...	...	51	10	61	18	9	27	9	2	11	42	14	56	13	...	13
1869-70	140	26	16	10	182	...	...	...	...	...	...	...	...	...	3	1	4	35	11	46	23	9	32	11	3	14	61	9	70	16	4	20
1870-71	147	28	14	6	195	...	...	...	...	...	...	...	...	...	3	...	3	52	10	62	25	9	34	4	2	6	64	12	76	16	1	17
1871-72	120	38	22	6	186	...	...	...	...	...	...	...	...	...	2	...	2	54	14	68	18	8	26	9	5	14	40	11	51	21	6	27
1872-73	130	37	23	14	204	...	...	...	...	...	...	...	...	...	...	...	...	49	14	63	27	12	39	2	5	7	52	17	69	23	3	26
1873-74	165	28	27	10	230	...	...	...	...	...	...	...	...	...	3	...	3	84	12	96	19	11	30	4	1	5	68	10	78	19	4	23
1874-75	155	37	24	14	230	...	...	...	...	...	...	...	...	...	1	1	2	65	12	77	35	14	49	5	3	8	59	18	77	15	4	19
1875-76	136	37	30	10	213	...	...	...	...	...	...	...	...	...	1	...	1	60	18	78	31	9	40	1	...	1	51	12	63	23	8	31
1876-77	119	37	28	14	198	...	...	...	...	1	1	...	...	...	...	1	1	51	18	69	29	14	43	2	2	4	53	12	65	12	5	17
1877-78	109	31	29	13	182	...	...	...	...	...	...	...	...	...	1	...	1	50	14	64	26	5	31	2	2	4	46	15	61	14	8	22
1878-79	138	42	31	11	222	...	...	...	1	...	1	...	...	...	1	1	2	56	22	78	36	5	41	4	3	7	49	15	64	25	8	33
1879-80	159	33	22	11	225	...	...	...	...	...	...	...	...	...	1	...	1	60	13	73	24	10	34	...	4	4	65	13	78	31	4	35
1880-81	135	51	26	11	223	...	...	...	...	...	...	...	...	...	...	...	...	57	12	69	25	16	41	2	4	6	49	24	73	29	6	35
1881-82	151	59	27	10	247	...	...	...	...	...	...	...	...	...	1	...	1	56	15	71	34	8	42	3	6	9	58	27	85	27	13	40
1882-83	169	51	32	13	265	...	...	...	...	...	...	...	...	...	3	1	4	66	19	85	37	16	53	2	1	3	57	17	74	39	11	50
1883-84	245	54	41	7	347	...	...	...	...	...	...	...	...	...	3	...	3	76	16	92	57	11	68	2	...	2	114	21	135	37	13	50
1884-85	203	72	26	19	320	...	1	1	...	...	...	...	...	...	...	2	2	71	25	96	54	15	69	2	2	4	68	29	97	34	20	54
1885-86	205	57	29	12	303	...	...	...	...	...	...	...	...	...	2	1	3	58	16	74	44	13	57	4	2	6	81	20	101	47	18	65
1886-87	184	52	22	10	268	...	...	...	1	...	1	...	...	...	4	...	4	35	12	47	32	20	52	1	...	1	78	16	94	60	14	74
1887-88	230	62	17	9	318	...	...	...	...	...	...	...	...	...	2	...	2	67	21	88	43	16	59	1	...	1	86	21	107	49	13	62
1888-89	190	58	23	9	280	1	...	1	1	...	1	...	...	...	4	1	5	44	14	58	35	15	50	1	4	5	82	18	100	50	16	66
1889-90	258	63	16	8	345	...	...	...	1	...	1	...	...	...	9	2	11	48	15	63	47	13	60	...	2	2	104	23	127	75	18	93
1890-91	256	76	15	5	352	2	1	3	1	1	2	...	...	...	6	3	9	45	22	67	55	11	66	3	3	6	89	19	108	79	26	105
1891-92	218	64	15	6	303	2	1	3	6	...	6	...	...	...	10	3	13	47	10	57	40	16	56	5	1	6	66	21	87	74	15	89
1892-93	236	69	25	6	345	5	2	7	6	5	11	...	...	...	18	5	23	58	12	70	36	23	59	4	...	4	71	15	86	92	41	133
1893-94	248	82	25	6	361	34	12	46	14	15	29	...	...	...	32	7	39	56	17	73	34	20	54	4	...	4	63	17	80	116	34	150
1894-95	281	71	12	7	371	24	13	37	9	10	19	1	...	1	30	6	36	24	13	37	9	10	19	1	...	1	30	6	36	229	49	278
Total	6,883	1,651	747	307	9,588	68	30	98	40	32	72	1	...	1	143	36	179	2,703	506	3,209	1,168	387	1,555	158	77	235	2,289	604	2,887	1,918	384	1,702

The number of admissions, 371, an average of more than one a day, has never been exceeded within the hospital history, except during the last two years of the war, while the whole number under treatment, 2,052, is in excess of that of any previous year, and the daily average number is nearly 50 more than ever before. The recoveries, 98, just 28 per cent of the discharges, make a favorable showing, when the chronic character of the great proportion of cases at the time of admission is taken into account. The deaths were 179, showing a mortality of 10.73 per cent on the average number and 8.72 per cent of the whole number under treatment. Ninety-three of the deaths were of soldiers and sailors. The increasing age of the veterans each year swells the ranks of those called up higher.

The insalubrity of the flats of the Eastern Branch of the Potomac, in a great measure due to the abortive attempts of the United States Government to fill them, is every year increasing and is the probable cause of more than one-half of the sickness occurring at St. Elizabeth. Is there no remedy for this?

Competent engineers and sanitarians who have studied this problem of the river say that by filling the flats, so as to confine the Anacostia within its proper channel, the current will be quickened, hundreds of acres of ground along the river banks, valuable for parks, many acres of which would seem to belong with the riparian rights of the hospital, will be reclaimed, and the malaria will in a great measure be at an end. It seems proper to ask in behalf of the afflicted inmates of St. Elizabeth, What has the Government done to bring about this most desirable result? With an insufficient appropriation mud bars have been thrown up so as to impede the motion of the water in the swash channel, and with each ebb and flow of the tide broad reaches of the river bottom are alternately flooded by the half-stagnant water and then exposed to lie festering under the August sun, breeding microbes and germs. Then, the limited appropriation exhausted, the Government has waited supinely for the river by depositing its silt to fill these noisome flats with the slow accretions of ages. As compared with the date of final completion of such work the millennial year seems near, and this generation will die of malaria without the sight of relief.

Despite all these preventable causes of disease and the shortened tenure of life that brain disorder is supposed to confer, it is pleasant to note that after forty years of continuous hospital life two men and two women of the 63 persons admitted prior to June 30, 1855, during the first six months after the hospital was opened, are still among its contented inmates. One styles himself "king;" the other, "high priest of nature." Here for forty years one has reigned with no revolt among his subjects; the other, long past fourscore, who has seen a village of the simple grow up among oaks remembered by him as acorns, and under whose shadows he has silently worshiped, may well be accounted worthy of recognition as both Nestor and Druid of St. Elizabeth. Long cloistered in these peaceful shades, may their lives come at last to broader horizons.

The problem of finding accommodations and providing for 1,700 insane in one village—for this is what St. Elizabeth has become—is somewhat complex and one beset with many difficulties. At the risk of repeating some things that have been said in past reports, notably in those of 1887, 1891, and 1893, it seems advisable to state concisely what we have now or have in process of development, and what we should strive for in the near future to keep this hospital a model institution under the Government for the care of its insane.

Many of the buildings are now overcrowded, but with the appropriation of $25,000 for additional accommodations made at the last session of Congress buildings have been projected, some of which are already being constructed, which will afford relief, even if they do not wholly do away with the difficulty in this respect.

The Government Hospital for the Insane is under the charge of a resident superintendent, whose entire time and energies are devoted to the work. He is the responsible head of the whole—medical, financial, and executive. In this arduous position, while under the general supervision of the Board of Visitors, he has their friendly counsel and cordial support. In the several departments he is assisted by an ample staff of subordinate officers, each officer being under his direct control. Where the responsibilities are so vast, unity of head becomes an absolute necessity, and on the judicious exercise of such individual responsibility much of the success of a hospital depends.

The Government domain here devoted to the care of the insane comprises three tracts, viz, St. Elizabeth, Stevens farm, and Godding croft. They contain nearly 800 acres and have a population of more than 2,300. Counting three buildings which are projected, but as yet only in process of erection, there are seventeen buildings occupied by patients, with an average population of about 100 each. These naturally subdivide into six groups, looking to the segregate classification of the inmates, in addition to which groups there are two cottages for special cases entirely distinct. The main hospital consists of a male and female department, kept distinct by an administration building. Here all patients are received on admission and kept for a time under observation. Each department is under charge of its respective physician. The central male group comprises the west wing of the main hospital edifice, with its Dawes and Garfield extensions and the west lodge for colored males. This division has 19 distinct wards and provides for 400 inmates. This number of wards admits of considerable classification in itself, but it is from these wards that most of the transfers to the different groups for males are made after the cases have been under observation for a sufficient time to permit of an intelligent diagnosis.

The female department makes the second group and comprises the east wing of the main hospital building, the east lodge for colored females, and Dix Building Nos. 1, 2, and 3 for the female epileptic insane. Here 375 inmates are provided for with classification in 20 distinct wards, 5 of which admit of subdivision. This group has its own distinct grounds.

The third or west group, also with distinct grounds, is for the criminal and homicidal male patients. It consists of the four wings of Howard Hall, which, being built in the form of a square, inclose a court. They are also provided with grounds lying outside the building. Howard Hall cares for all its inmates, 120 in number, in single rooms, divided into 8 wards. There are also work rooms, dining rooms, amusement room and smoking apartment. A physician is in charge of this criminal department.

The fourth or eastern group is for male patients, for the most part of the quiet chronic class. The largest number of the veterans from the National Home for Disabled Volunteer Soldiers are provided for here. The group consists of Atkins Hall, the Relief, the Home, together with a large building for a common dining hall, workroom, bowling alley, and smoking apartment, the latter being fireproof. Provision is here made in 13 wards for 500 inmates. This department has its own physician and distinct grounds, comprising about 8 acres, that are lightly inclosed to afford greater freedom to its occupants. These

grounds have been tastefully laid out with graveled walks, planted with trees and flowering shrubs, and made attractive with convenient seats and shaded summer houses. Most of this work has been done by the inmates, and it is not an exaggeration to say that in suitable weather during the daytime nineteen-twentieths of this group live in the open air.

The fifth or southern group, 1,000 feet away from the rest, but with subterranean gallery leading to it from the central and eastern groups, is for the male invalid and epileptic class. This is under the charge of a resident physician and comprises the Toner Building and the Oaks Nos. 1 and 2, the former being for the sick, the latter for the epileptic insane. These provide for 200 sick and epileptic in 9 wards. There is a distinct kitchen building connected with this group; also special quarters for the night nurses and a common dining hall for the quiet epileptic.

As this group represents the latest departure from the congregate plan and in some respects is the highest level here attained in the way of segregate and individualized treatment of these afflicted classes a statement a little more in detail may be allowed. The Toner Building is a liberal provision for 100 of the sick and infirm, about 10 per cent of the number having single rooms, the rest being provided for in open wards similar to the wards of a general hospital. Unless in the active maniacal stage the insane man when overtaken with bodily disease is very much like any other sick man and, to a considerable extent at least, appreciates the best watching and care that a trained nurse can give him. Here his treatment as an insane man becomes a secondary matter, and under the direction of a skilled physician constant nursing, bathing, massage, careful exercise, and specially prepared diet suited to his ailments are made the first consideration. When the active disease subsides he is still cared for as an invalid; if his condition permits he is wheeled out upon a piazza with which the building is provided on every side or conducted to an easy seat under the spreading oaks which shadow the lawns.

All about the Toner Building outdoors is made inviting to the eye with its flowers and lawns and restful shadows, and even in chronic cases the bodily improvement here commenced sometimes goes on to complete mental restoration. Quite recently a man admitted to the hospital in the spring of 1888 afflicted with a profound melancholia, who, despite every effort to arouse him, had steadily sunk into apathy and apparent dementia, was prostrated with a bodily illness, and accordingly transferred to the Toner Building for nursing. The poor man turned his face to the wall, saying, "There is no life; there is no world," as he had been constantly saying during his long years of mental eclipse. The nurses watched him, bathed him, and fed him; the masseur took him in hand; he was wrapped in a wet pack; he was "girded and carried whither he would not" out into the sunshine; and at last there was "a life" and "a world" into which he entered as one born anew, and on the 1st of August, 1895, he went home apparently well—home to a wife who through the long night still looked for the morning; back to a life that had taken on for him a new meaning.

The Toner Building is our school for nursing, the service here and in the epileptic wards being continuous, night nurses succeeding to the day, and whatever is deemed of service to the sufferer is supplied. The rooms are well ventilated and lighted, with blinds to darken without impeding the circulation of air, and in the winter season coal fires in open grates give a cheerful glow while at the same time assuring a change of

air in the sick room. The Oaks, the buildings for the male epileptics, are especially adapted in their construction to the epileptic's needs. All sharp angles have been avoided in seats and walls. The day rooms are cheerful; the piazzas ample and easy of access; the dormitories are open and airy, while the provision for the violent class is made secure without seeming prison-like. The doors are latticed so as to admit of observation at all times without disturbing the patient. While mere ornamentation has been avoided, whatever seemed likely to make the patient more comfortable without endangering others has been supplied without regard to the expenditure involved. So it is hoped that these latest buildings, the Oaks, will be found at once serviceable and creditable.

The sixth group, the agricultural one, is a colony at Godding croft for chronic cases, harmless workingmen who, having a home with home comforts, are content. The nucleus of such a colony is already established there, and the new buildings, which it is confidently expected will be ready for occupation in the coming spring, will afford quarters for 50 farm laborers, which it is to be hoped by no means represents the number to which the colony will be extended in the coming years. At Godding croft there are 50 acres of the finest garden soil that exists anywhere within the nearly 800 acres of this Government ground. Here are 25 acres of hillside well adapted to vineyards and orchards, 60 acres of corn and grass land, with more than 100 acres of woodland and pasturage. Here are marshes to be reclaimed, miles of roadbed to be constructed, and rough places to be brought into cultivation. Surely here if anywhere the problem of productive labor for the insane ought to be worked out to a successful solution and the lesson taught that busy hands make contented hearts.

This, briefly outlined, is the St. Elizabeth of to-day. Some idea of what is still needed and hoped for in the near future may be gained from the following:

Estimates for the fiscal year ending June 30, 1897.

For current expenses	$368,500
For general repairs and improvements	20,000
Special improvements, viz:	
Rebuilding shops	7,000
Laboratory extension	1,500
Heating apparatus for new buildings	4,500
Electric fans and resistance coils	6,000
Renewing and fireproofing floors	2,400
Kitchen and dining room	2,500

The estimate for current expenses is for support, clothing, and treatment in the Government Hospital for the Insane, of the insane from the Army and Navy, Marine Corps, Revenue-Cutter Service, and inmates of the National Home for Disabled Volunteer Soldiers, persons charged with or convicted of crimes against the United States who are insane, all persons who have become insane since their entry into the military or naval service of the United States, who have been admitted to the hospital and who are indigent, and for the indigent insane of the District of Columbia. The basis of estimate is an annual cost of $220 per capita for an estimated average number of 1,675 of the above classes. For a number of years past the appropriation has been divided between the sundry civil and the District bill. Following the rule of previous years—the increase in that made in the District bill being based on the increase in the number of District patients during the past year—the

amount in that bill will be $104,049, leaving $264,451 to be provided in the sundry civil bill.

Of this sum it is asked that not more than $1,500 may be used to defray the expense of the return of patients to their friends.

For general repairs and improvements $20,000 is asked. This sum is necessary to prevent deterioration of the extensive group of buildings known as the Government Hospital for the Insane, and keep them in efficient working condition. St. Elizabeth is not a house, but a village. Including inmates, the population of this Government reservation, devoted exclusively to the care of the insane, is over 2,300. There are 51 buildings, 17 of which are hospital structures, with an average population in each of 100 insane. Three thousand five hundred dollars of this estimate is needed for painting and repairs of roofs and exterior of main hospital building alone.

The sum of $7,000 is asked to rebuild the carpenter and machine shop on a new site and an enlarged plan. This is rendered necessary by the settlement of the foundation of the old building, which has been in use for forty years. As a ruin it is no longer picturesque; it is dangerous. All the machinery except the iron lathe and the pipe machine, which we are compelled to keep there, has been removed and the building carefully shored up. Still, the Government ought not to be responsible for the use of so unsuitable a structure.

One thousand five hundred dollars is asked for a laboratory extension to the pathological department. The importance of the pathological work that year by year has been quietly carried on at this hospital has come to be recognized by the leading pathologists and scientific alienists throughout the United States, and there is a steady demand for the pathological notes published in each annual report, where, instead of the views of buildings and grounds with which it is the fashion just now to embellish hospital reports, accurate reproductions of pathological changes of the brain are shown. But our expert pathologist is very much hampered in his work by his insufficient quarters, and much important work that should be done in the way of chemical analysis and bacteriological study has been omitted for want of a laboratory. This should not be.

The additional accommodations provided for at the last session of Congress are being pushed to completion, and the buildings will be ready for occupation by the coming spring. Four thousand five hundred dollars will be required to furnish them with the proper heating apparatus.

For electric fans for the hospital wards and resistance coils for the dining rooms $6,000 will be required. The electric plant for lighting the hospital is now being installed and bids fair to add much to the comfort and safety of the inmates. Ample engines and dynamos have been provided, and to realize the full advantage of the change from gas to electric light it becomes necessary to substitute resistance coils for gas heaters where they are in use, and, further, to place one in every dining room in the hospital. They afford a safe and perfect method of keeping the food warm, as they generate the heat only at the point where it is needed, the opposite of which has been the great objection to the use of steam tables in summer time.

In two wards of the main building it has become necessary to renew the floors. The desirability of making these floors slow-burning is obvious. In a hospital for the insane the danger from fire should be reduced to a minimum, and if not in the original structure, then whenever important changes are made. The cost of relaying these floors on steel beams with fireproofing is estimated at $1,200 for each floor, and $2,400 is accordingly asked for the two.

With the enlargement of the colony at the new farm on the completion of the new buildings there, it becomes necessary to erect a kitchen and dining hall large enough to provide for the present and some future growth. It is estimated that a suitable kitchen with dining room attached can be provided ample for 100 persons for the sum of $2,500, which is respectfully asked.

The Board of Visitors met with a sad bereavement in the unexpected death of James C. Welling, LL. D., in September, 1894. Dr. Welling had been continuously a member of the Board since July, 1876. Respected by all, he was to all the well-beloved. His interest in everything pertaining to the welfare of the insane was untiring, and his counsel was always sought. He has left a vacancy not easily filled.

At a special meeting of the Board of Visitors, called for the purpose September 5, 1894, the following resolutions were adopted:

Whereas the Board of Visitors of the Government Hospital for the Insane has been deeply pained by the unexpected intelligence of the death on the 4th instant of Dr. James C. Welling, who for more than eighteen years has been our honored associate: Therefore be it

Resolved, That in common with the whole community we mourn the decease of a most accomplished scholar, a public-spirited citizen, a Christian gentleman whose passing has left a void in the exalted circle where he moved, a loss in the educational center of which his personality was for so long a time so large a part.

Resolved, That as a Board we feel that in the death of Dr. Welling we have each experienced a personal bereavement. He was a friend to the insane, to whom they came for comfort as to a father; he was our friend—no less. Henceforward we shall miss that philanthropy that was at once devoted and practical, the counsel that was most wise, the judicious aid that was ever ready to our need, the fellowship that was genial and tender, the loving-kindness that never failed us. But the example is not lost; the aims that were noble, the devotion that did not falter, the life that was worthy here and immortal there—these survive and do not pass away.

Resolved, That these resolutions be entered on the records of the Board, and that a copy be sent to the family of the deceased.

The Board takes pleasure in acknowledging the efficient aid rendered by many kind friends at our winter evening entertainments for the household, also the timely gifts of magazines and illustrated papers for the reading rooms of the wards. Such reading matter is always in demand in a hospital. To Mr. Copeland we are again indebted for the willing service rendered in his tasteful and elaborate decoration of the large dining hall for our Easter festivities. That it seems each year a labor of love with him makes it doubly gratifying.

But few incidents out of the ordinary have marked the year. Aside from a prolonged sick leave of one of the physicians there has been no change in the medical staff. Long service faithfully rendered is shown in the general efficiency and quiet working of the whole establishment. Hospitals, like nations, are happy when their annals are tiresome. The daily routine of hospital life may well seem that where the same work is done over and over again; a quiet glance that may require to change nothing, but the oversight is there; a word for this one, a smile for that one, and an outstretched hand for a third, little things—a cup of cold water only—that shall not fail of a reward, these make up their day, a day that becomes their life.

Again commending this great hospital with its vast responsibilities and its dependent ones to Congress that has never failed to sustain it, we are, sir, very respectfully,

J. M. TONER,
President.
W. W. GODDING,
Secretary ex officio.

Hon. HOKE SMITH,
Secretary of the Interior.

GOVERNMENT HOSPITAL FOR THE INSANE,
Washington, D. C., August 31, 1895.

SIR: In accordance with the act of Congress approved June 4, 1880, requiring the Superintendent of the Government Hospital for the Insane to make a report to Congress annually of the detailed expenditures of the hospital for the preceding fiscal year, I have the honor to submit the following statement.

I am, sir, very respectfully, your obedient servant,

W. W. GODDING,
Superintendent.

Hon. HOKE SMITH,
Secretary of the Interior.

Supplementary to June 30, 1894.

On hand, support	$1,379.04
On hand, repairs and improvements	64.52
	1,443.56

EXPENDITURES.

Hardware, etc	$146.82
Engineers and plumbers' supplies	64.52
Covered into United States Treasury on support	1,232.22
	1,443.56

Classified expenditures, Government Hospital for the Insane, for the fiscal year ending June 30, 1894 (supplementary).

Date.	Furnished by—	Voucher No.	Hardware, etc.	Engineers and plumbers' supplies.	Total.
1894					
June 30	Thos. Somerville & Sons	1161	$141.52		
30	W. H Harrover	1162	5.30		
30	Thos. Somerville & Sons	66		$64.52	
	Total		146.82	64.52	$211.34

Classified expenditures, Government Hospital for the Insane, for the fiscal year ending June 30, 1895.

SUBSISTENCE.

Date.	Furnished by—	Voucher No.	Flour, meal, and crackers.	Ice.	Butter, cheese, and eggs.	Fresh meat.	Salt and smoked meats.	Fish and poultry.	Tea and coffee.	Sugar, molasses, etc.	Lard.	Fruits and vegetables.	Other groceries.	Grand total.
1894.														
July 21	John D. Broadus	8										$31.75		
21	Rose Howard	9										56.62		
31	Mary P. Godding	13										51.24		
31	M. Edelen	14										33.50		
31	R. H. Boykin & Co	16											$376.32	
31	R. D. Weaver & Bro	26				$572.80	$32.00							
31	Jas. F. Oyster	27			$1,787.49									
31	W. S. Anderson & Co	31										30.00		
31	John A. Davis & Son	32										105.14		
31	R. A. Golden	36						$70.56						
31	G. G. Cornwell & Son	37	$3.08						$201.89				16.49	
31	B. Charlton & Co	41											42.56	
31	Daniel Longhran	46											99.25	
31	Somerset R. Waters	49								$6.00			251.36	
31	W. M. Galt & Co	50	966.05											
31	Frank Hume	54	66.98						446.00		$54.98		297.84	
31	B. B. Earnshaw & Bro	55	23.75							59.88			43.29	
31	H. L. Strang	56										51.66		
31	Jas. L. Barbour & Son	58											49.30	
31	R. A. Golden	59						271.61						
31	G. Taylor Wade	60										5.45		
31	Browning & Middleton	61											14.60	
31	John B. Daish	64		$715.73										
31	C. Denekas	66											28.02	
31	E. J. Adams & Co	67										234.15		
31	Hyman Powdermaker	68				273.07	773.90							
31	Thos. T. Keane	72				1,821.71								
Aug. 18	John D. Broadus	96										15.15		
31	C. Pumphrey	103										19.06		
31	Rose Howard	104										50.37		
31	E. S. Burnham Co	109											32.08	
31	Austin, Nichols & Co	118								1,110.41				
31	W. M. Galt & Co	119	677.00											
31	Jas. F. Oyster	120			2,118.07									
31	Frank Hume	121	92.80						440.83	247.96	52.87		217.07	
31	A. C. Patterson, chief clerk	124										48.79		
31	Thos. Keane	125				888.44								
31	Hyman Powdermaker	126				1,452.67	504.89							
31	John B. Daish	128		709.18									7.40	
Sept. 29	Rose Howard	155										80.12		
29	John B. Daish	161		578.80										

	29	Hyman Powdermaker	162				1,904.78	399.94						
	29	Jas. F. Oyster	163			1,830.76								
	29	B. B. Earnshaw & Bro	164	57.00							165.40		43.46	
	29	W. M. Galt & Co	165	708.75										
	29	Frank Hume	166	70.54				36.48		542.76		23.10	169.60	
	29	G. G. Cornwell & Son	167							275.62			7.50	
	29	C. Denekas	170										57.87	
	29	Somerset R. Waters	173										195.29	
Oct.	22	C. A. Gambrill Mfg. Co	212	119.85										
	22	R. H. Boykin & Co	214										776.16	
	22	Frank W. Pousland	215									280.00		
	23	Chas. F. Mattlage	219						220.00			179.26	7.50	
	27	Rose Howard	230										18.87	
	29	W. W. Conner	233						43.40					
	29	Austin, Nichols & Co	234								666.30		135.28	
	31	Mary P. Godding	240										47.00	
	31	Hyman Powdermaker	243				2,471.69	441.49				40.72		
	31	Jas. F. Oyster	244			2,218.50								
	31	A. C. Patterson	247										12.45	
Nov.	26	Frank W. Pousland	291										280.00	
	27	Austin, Nichols & Co	295								426.55			5.52
	28	Frank Hume	299	182.24						1,055.13			574.19	
	30	Hyman Powdermaker	310				2,068.35	458.60						
	30	W. M. Galt & Co	311	1,312.35										
	30	Mary P. Godding	312										50.17	
Dec.	19	Somerset R. Waters	352								9.50			362.27
	20	Jas. F. Oyster	354			3,253.61								
	20	John B. Daish	356	640.06									14.80	
	22	Jas. L. Barbour & Son	362								25.16		328.93	
	31	Chas. F. Mattlage	386						110.00			128.81		
	31	R. H. Boykin & Co	387										313.60	
	31	Austin, Nichols & Co	388								1,199.14		79.43	
	31	Lewis Wallace	389										134.84	
	31	E. J. Adams & Co	396										1,050.09	
	31	Golden, Love & Co	400						958.25					
	31	Jas. F. Oyster	401			1,105.71								
	31	R. A. Golden	405						1,051.77					
	31	John B. Daish	406	249.13										
	31	Hyman Powdermaker	407				1,889.34	102.39						
	31	Frank Hume	408	79.57						387.28	24.67		283.01	
	31	W. M. Galt & Co	410	713.55										
	31	Mary P. Godding	415										58.41	
1895.														
Jan.	14	Emrich Beef Co	439					1,038.84						
	14	Wm. H. Keister & Co	440										23.15	
	19	B. B. Earnshaw & Bro	444	82.25							13.59		895.34	
	19	The G. H. Hammond Co	446					371.28						
	19	Hillman & Co	447					362.60						
	26	Arthur H. Bailey	460										10.43	
	26	Horlick's Food Company	461										20.00	
	31	Somerset R. Waters	477								3.00		453.41	
	31	Hyman Powdermaker	478				1,924.16	354.60				38.82		

Classified expenditures, Government Hospital for the Insane, for the fiscal year ending June 30, 1895—Continued.

SUBSISTENCE—Continued.

Date.	Furnished by—	Voucher No.	Flour, meal, and crackers.	Ice.	Butter, cheese, and eggs.	Fresh meat.	Salt and smoked meats.	Fish and poultry.	Tea and coffee.	Sugar, molasses, etc.	Lard.	Fruits and vegetables.	other groceries.	Grand total.
1895.														
Jan. 31	G. G. Cornwell & Son	479							$728.17				$232.63	
31	Richards & Co	483										$72.00		
31	John B. Daish	484		$218.78									7.40	
31	Mary P. Godding	489										20.46		
31	Rabbitt & Crown	490						$337.58						
31	Wm. H. Crawford	509											133.80	
Feb. 23	Geo. N. Omohundro	536				$179.24								
23	Jas. F. Oyster	537			$4,051.61									
28	R. A. Golden	551						682.65						
28	E. J. Adams & Co	552										252.30		
28	Schafer & Clary	554										27.00		
28	John B. Daish	556		145.21										
28	Wm. M. Galt & Co	558	$1,451.25											
28	Frank Hume	559	174.77				$134.26		1,115.00				631.63	
28	G. Taylor Wade	560										1,136.20		
28	Hyman Powdermaker	563				1,823.01	265.95				$119.04			
Mar. 11	Lewis Wallace	591											132.31	
19	J. B. Hamilton	600										417.20		
25	A. P. Swoyer	610	30.33											
25	Austin, Nichols & Co	611								$1,302.58			91.86	
25	Shoemaker & Busch	613											61.51	
25	Chas. E. Ahrens	616											56.88	
28	R. H. Boykin & Co	634											823.20	
28	Chas. F. Mattlage	639						330.00			177.40			
30	Mary P. Godding	659										138.86		
30	The G. H. Hammond Co	662					120.12							
30	Somerset R. Waters	663											609.99	
30	Richards & Co	664											86.00	
30	John B. Daish	665		245.04										
30	Hyman Powdermaker	669				1,715.66	272.95				40.92			
Apr. 20	B. B. Earnshaw & Bro	706	68.00							13.20			590.10	
23	Wm. M. Galt & Co	707	1,462.35											
23	Jas. F. Oyster	708			3,732.98									
23	Frank Hume	710	154.79				88.78		623.67				519.66	
30	J. W. Bartley	728										232.00		
30	Lewis Wallace	729											47.35	
30	Austin, Nichols & Co	730								48.68			40.22	
30	R. A. Golden	736						593.55						
30	Hyman Powdermaker	737				1,684.82	285.47				39.96			
30	Geo. N. Omohundro	739				193.44	28.25							
30	G. G. Cornwell & Son	740							616.04				77.13	

	30	Jas. L. Barbour & Son	741								84.30			100.49	
	30	Daniel Loughran	743											681.99	
	30	Emrich Beef Co.	744				964.47								
	30	Geo. J. Mueller	746											82.09	
	30	John B. Daish	748	302.24										3.70	
	30	Jas. F. Oyster	749	550.80											
	30	G. Taylor Wade	751										130.90		
	30	J. C. Ergood & Co.	752	8.94											
	30	C. Denekas	754											250.00	
	30	Browning & Middleton	755											54.00	
	30	Golden, Love & Co.	756			219.15			649.04						
	30	N. W. Burchell	759											124.53	
May	10	J. B. Hamilton	783										271.14		
	20	J. J. Hogan	796						1,202.83						
	31	Geo. M. Oyster	803			1,002.34									
	31	Austin, Nichols & Co.	804								1,118.04			13.70	
	31	W. M. Galt & Co.	805	707.25											
	31	Hyman Powdermaker	806				2,013.58	663.14				113.52			
	31	J. B. Hamilton	807										313.64		
	31	Frank Hume	808	114.66				65.21		1,158.64	6.50			428.95	
	31	Mary P. Godding	812										132.60		
	31	John B. Daish	814		403.58									7.40	
June	20	G. G. Cornwell & Son	855							624.78				23.84	
	20	Jas. F. Oyster	857			882.30									
	20	R. A. Golden	859						454.73						
	20	R. H. Boykin & Co.	860											282.24	
	21	E. J. Adams & Co.	864										311.18		
	21	The G. H. Hammond Co.	868					163.80							
	21	Chas. F. Mattlage	869									133.69		4.00	
	21	Somerset R. Waters	870											883.28	
	22	Rose Howard	874										190.78		
	29	Mary P. Godding	881										41.06		
	29	Smith, Kline & French Co.	886											7.50	
	29	Lewis Wallace	888											49.94	
	29	Chas. E. Ahrens	897											34.05	
	29	Geo. M. Oyster	898			1,420.50									
	29	Jas. F. Oyster	901			94.50									
	29	Daniel Loughran	902											110.20	
	29	Somerset R. Waters	903											10.95	
	29	Hyman Powdermaker	904				1,678.79	339.89				172.62			
	29	B. B. Earnshaw & Bro.	905	47.50							13.59			83.70	
	29	E. J. Adams & Co.	906										23.01		
	29	Frank Hume	908	70.54				21.56						225.30	
	29	Wm. M. Galt & Co.	909	710.40											
	29	Jas. L. Barbour & Son	911											469.67	
	29	John D. Broadus	914										29.20		
	29	Geo. N. Omohundro	918				138.04								
	29	Emrich Beef Co.	919					438.06					31.20		
	29	John B. Daish	921		709.14									11.10	
	29	H. L. Strang	922										811.43		
	29	Horlick's Food Co.	945											10.00	

Classified expenditures, Government Hospital for the Insane, for the fiscal year ending June 30, 1895—Continued.

SUBSISTENCE—Continued.

Date.	Furnished by—	Voucher No.	Flour, meal, and crackers.	Ice.	Butter, cheese, and eggs.	Fresh meat.	Salt and smoked meats.	Fish and poultry.	Tea and coffee.	Sugar, molasses, etc.	Lard.	Fruits and vegetables.	Other groceries.	Grand total.
1895.														
June 29	C. Denekas	957											$71.97	
29	J. J. Hogan	979						$42.58						
29	R. A. Golden	984						112.87						
29	Golden, Love & Co	985			$133.80			189.06						
29	G. Taylor Wade	992										$33.80		
29	E. M. Roberts	1,005							$20.00					
29	W. F. Nash	1,009					$86.99							
	Total		$11,898.77	$3,725.55	23,851.32	$25,658.06	7,851.44	7,320.48	8,235.81	$6,494.45	$1,315.71	7,249.10	14,460.27	$118,060.96

HOUSE FURNISHING, FUEL, LIGHTS, ETC.

Date.	Furnished by—	Voucher No.	Furniture, fixtures, etc.	Bedding.	Table and towel linen.	Utensils, crockery, etc.	Kitchen fittings.	Laundry supplies.	Carpets, etc.	Hard coal.	Soft coal.	Wood.	Lights, oils, etc.	Charcoal.	Grand total.
1894.															
July 13	Jas. N. Gunnell	4												$12.00	
31	H. Kohnstamm & Co	17						$95.00							
31	Weaver, Kengla & Co	18						160.17							
31	Augustus Thomas & Co	19		$78.00											
31	John E. Frymier	21	$19.20												
31	Thos. G. Hood	23		172.16											
31	Standard Oil Co	24						7.54							
31	W. G. Orr & Co	30				$11.50									
31	W. D. Clark & Co	34			$125.00										
31	Geo. F. Muth & Co	38	6.25												
31	Lansburgh & Bro	40			81.00										
31	Wilmarth & Edmonston	44				25.98									
31	Blum Bros	45		92.97		5.40			$68.50						
31	M. W. Beveridge	51				140.03									
31	Wash. B. Williams	57	80.00	330.00											
31	Jas. L. Barbour & Son	58						15.63							
31	S. S. Shedd & Bro	63	151.90												
Aug. 14	Jas. N. Gunnell	92												12.00	
17	James Windsor	94		119.93											
23	Jas. W. Haynie	98	2.50												
27	D. C. Jones	100		237.50											
31	Paul Hiser & Co	106				30.75									
31	Chas. Werner	111										$247.12			
31	Frank Hume	121						20.87							
31	J. Maury Dove	122								$2,922.29					
31	J. P. Neurath	130	105.47												
Sept. 29	Thos. G. Hood	157		606.83	229.87										
29	J. Maury Dove	159								2,171.08					
29	Chas. T. Carter & Co	169	13.76												
29	Wm. D. Clark & Co	171		555.03											
Oct. 17	Geo. L. Sheriff	207									$13,103.59				
22	Chas. D. Nicolai	211											$536.25		
22	The Manhattan Supply Co	216	107.01												
23	Rosenblatt & Co	220						1,000.66							
26	H. Hoffa	228	13.00												
26	Weaver, Kengla & Co	229						100.50							
Nov. 7	Jas. N. Gunnell	276												12.00	
23	Wash. B. Williams	286	433.75	661.98											
27	Thos. G. Hood	296		460.28	90.81										
Dec. 6	George Blaine	339		22.87											

Classified expenditures, Government Hospital for the Insane, for the fiscal year ending June 30, 1895—Continued.

HOUSE FURNISHING, FUEL, LIGHTS, ETC.—Continued.

Date.	Furnished by—	Voucher No.	Furniture, fixtures, etc.	Bedding.	Table and towel linen.	Utensils, crockery, etc.	Kitchen fittings.	Laundry supplies.	Carpets, etc.	Hard coal.	Soft coal.	Wood.	Lights, oils, etc.	Charcoal.	Grand total.
1894.															
Dec. 19	W. D. Clark & Co	352		$367.50	$62.81										
20	Jas. N. Gunnell	353												$12.00	
22	Jas. L. Barbour & Son	362						$46.56							
26	Nelms & Co	367	$25.47												
28	Shoemaker & Busch	371					$52.80								
29	Meyer Bros. Drug Co	376	12.00												
31	Chas. T. Carter & Co	383	27.17												
31	Chas. B. Jennings	384				$170.63									
31	H. Kohnstamm & Co	385						75.14							
31	Hartford Woven Wire Mattress Co	390		614.40											
31	Hall, Headington & Co	391							$14[illegible].00						
31	Rosenblatt & Co	395						573.92							
1895.															
Jan. 14	W. H. Harrover	438					13.50								
18	Wash. B. Williams	442	5.00	665.80											
25	A. H. Chace & Bro	459	1.50												
26	Troy Laundry Machine Co	462						22.50							
31	Chas. D. Nicolai	488											$804.39		
Feb. 13	John E. Frymier	520				104.80									
16	Paul Hiser & Bro	527				26.25									
21	Pettit & Dripps	534					29.12								
25	Chas. T. Carter & Co	540				36.23									
28	H. Hoffa	557	16.15												
28	Lansburgh & Bro	561	6.15	10.35	315.81										
28	Canton Manufacturing and Bleaching Co	585						19.25							
Mar. 9	Jas. N. Gunnell	590												12.00	
15	Wallace E. Clifford	599				3.00									
20	Hayward & Hutchinson	602	41.50												
23	W. Scantlebury	608	6.16												
25	Thos. G. Hood	612		1,015.06	206.65										
25	Augustus Thomas & Co	615		78.00											
25	Chas. B. Jennings	617				84.99									
25	Rosenblatt & Co	619						403.32							
28	Kennedy Sons & McGuire	624				220.68									
28	The Clark Manufacturing Co	628	45.15												
28	H. A. Linger & Son	631		1.75											
28	Chas. Lentz & Sons	632	10.00												
28	Bramhall, Deane & Co	635					129.90								

Mar.	28	Wm. H. Thomas & Co	636		55.00										
	28	C. D. Nicolai	638										268.13		
	28	Chas. F. Mattlage	639						8.00						
	30	Blum Bros	661		279.14		147.42								
	30	W. B. Moses & Sons	667	536.59						64.96					
	28	M. Mahoney	688					12.20							
	28	J. P. Neurath	689			19.00									
Apr.	19	Chas. D. Nicolai	700										107.25		
	20	The Julius Lansburgh Furniture and Carpet Co	703	225.00						72.00					
	20	Wash. B. Williams	704	405.44											
	24	M. Silverberg & Co	713	198.40											
	25	Empire Laundry Machine Co	716						4.25						
	26	Charles Werner	719									123.56			
	27	Frank Blaine	720		13.72										
	28	John E. Frymier	731				60.58								
	30	H. Hoffa	732	6.50											
	30	Thos. G. Hood	734		110.35										
	30	Jas. L. Barbour & Son	741						25.00						
	30	Wm. D. Clark & Co	747			77.06									
	30	Wash. B. Williams	750	21.50	330.99										
	30	J. C. Ergood & Co	752						3.36						
	30	Wilmarth & Edmonston	757				116.25								
May	10	Rosenblatt & Co	782						693.44						
	11	Paul Hiser & Bro	784				17.50								
	14	Henry C. Fischer	786	5.25											
	17	M. Roche	792					9.65							
	31	The Manhattan Supply Co	802	106.50											
	31	E. G. Schafer & Co	809	296.80											
June	11	H. Kohnstamm & Co	844						85.00						
	14	Troy Laundry Machine Co	851						16.18						
	20	M. W. Beveridge	858				1,002.43								
	21	Chas. B. Jennings	865				84.99								
	21	L. W. Loomis	866				129.60								
	21	Wm. D. Clark & Co	867			49.40									
	22	A. C. Patterson, chief clerk	873	7.77											
	25	Chas. D. Nicolai	878										536.25		
	29	Jas. N. Gunnell	882											12.00	
	29	Shoemaker & Busch	883					7.05							
	29	Kennedy Sons & McGuire	890	77.65											
	29	J. P. Neurath	891	10.20											
	29	M. W. Beveridge	907				19.81								
	29	Jas. L. Barbour & Son	911						10.00						
	29	Thos. G. Hood	917			12.15									
	29	Rosenblatt & Co	920						37.44						
	29	Augustus Thomas & Co	959		2.69										
	29	Chas. T. Carter & Co	960	27.92											
	29	Hall, Headington & Co	961							277.71					
	29	Strawbridge & Chase	963		30.00										
	29	Thos. G. Hood	965		139.45										
	29	Barber & Ross	967	17.53											
	29	W. B. Moses & Sons	977	16.75											

Classified expenditures, Government Hospital for the Insane, for the fiscal year ending June 30, 1895—Continued.

HOUSE FURNISHING, FUEL, LIGHTS, ETC.—Continued.

Date.	Furnished by—	Voucher No.	Furniture, fixtures, etc.	Bedding.	Table and towel linen.	Utensils, crockery, etc.	Kitchen fittings.	Laundry supplies.	Carpets, etc.	Hard coal	Soft coal.	Wood.	Lights, oils, etc.	Charcoal.	Grand total.
1895.															
June 29	Wilmarth & Edmonston	978				$23.24									
29	H. Hoffa	980	$1.50												
29	Lansburgh & Bro	981	9.00	$51.07	$115.75										
29	Geo. F. Muth & Co	987	12.33												
29	Jas. W. Bartley	989	43.60												
29	Blum Bros	990				13.38			$144.00						
29	J. M. Peohe	994	14.69												
29	A. W. Ward	998					$3.25								
29	S. S. Shedd & Bro	999	40.25												
29	M. G. Copeland & Co	1000	293.25												
29	Nicolai Bros	1003											$100.00		
29	Melville Lindsay	1007				25.79									
29	A. H. Chace & Co	1011							4.80						
29	Wash. B. Williams	1012	277.95												
29	Pettit & Dripps	1019					46.19								
29	W. H. Harrover	1020					40.55								
29	Louis A. Dieter	1024	47.40												
	Total		3,828.86	7,102.82	1,385.31	2,501.23	344.21	$3,423.73	778.97	$5,093.37	$13,103.59	$370.68	2,352.27	$72.00	$40,357.04

Classified expenditures, Government Hospital for the Insane, for the fiscal year ending June 30, 1895—Continued.

DRY GOODS AND CLOTHING, BOOKS, STATIONERY, AND MISCELLANEOUS.

Date.	Furnished by—	Voucher No.	Boots, shoes, and slippers.	New clothing.	Clothing material.	Hats.	Notions.	Books and periodicals.	Stationery and postage.	Freight and hauling.	Incidental work, etc.	Advertising.	Electrical instruments.	Photographic instruments, etc.	Grand total.
1894.															
July 14	Frank A. Bond	5									$20.00				
16	Martin Sweeney	6									5.00				
20	Richard Dewey	7						$5.00							
26	Wm. F. Porter	10						10.00							
31	Chas. Johnson	11									5.00				
31	B. Y. Pippey & Co	20			$658.35										
31	Newman & Co	22			43.93										
31	Royce & Marean	25											$3.43		
31	E. J. Pullman	28												$14.79	
31	Wm. D. Clark & Co	34					$86.10								
31	Geo. F. Muth & Co	38												9.00	
31	Lansburgh & Bro	40					35.52								
31	Blum Bros	45		$49.80			11.57								
31	Jas. J. Chapman	69							$41.50						
31	Geo. W. Knox Express	70								$9.26					
31	Adams Express Co	71								.35					
Aug. 30	A. D. Weakly	102									2.50				
31	S. G. Young	108									20.00				
31	Department of the Interior	117							2.50						
31	Samuel Bieber	123	$761.00												
31	Geo. W. Knox Express	129								16.57					
31	The Baltimore Sun	407										$7.00			
31	.....do	408										5.25			
31	.....do	409										5.25			
Sept. 29	Thos. G. Hood	157			486.62		16.77								
29	The Washington Post Co	168						68.22							
29	Wm. D. Clark & Co	171		40.50											
29	S. G. Young	172									30.00				
29	Geo. W. Knox Express	191								14.40					
29	Baltimore and Ohio R. R. Co	192								66.00					
29	The United States Express Co	193								1.45					
Oct. 15	Washington City post-office	205							53.00						
23	A. L. Williston	218							120.00						
26	H. Hoffa	228									23.89				
30	Mrs. L. Vibond	235									6.00				
31	Wm. H. De Lacy	245									24.50				
31	Department of the Interior	246							33.30						
31	Baltimore and Potomac R. R. Co	248								52.80					
31	Adams Express Co	249								5.50					

Classified expenditures, Government Hospital for the Insane, for the fiscal year ending June 30, 1895—Continued.

DRY GOODS AND CLOTHING, BOOKS, STATIONERY, AND MISCELLANEOUS—Continued.

Date.	Furnished by—	Voucher No.	Boots, shoes, and slippers.	New clothing.	Clothing material.	Hats.	Notions.	Books and periodicals.	Stationery and postage.	Freight and hauling.	Incidental work, etc.	Advertising.	Electrical instruments.	Photographic instruments, etc.	Grand total.
1894.															
Oct. 30	Baltimore and Ohio R. R. Co	10								$15.39					
20	R. J. Beall, jr	412									$850.00				
22	The Washington Post Co	413										$7.48			
22	do	414										6.29			
22	do	415										6.29			
31	Geo. W. Knox Express	274								155.10					
Nov. 10	Wm. F. Porter	279						$3.00							
19	The West Publishing Co	281						10.00							
21	R. H. Sands	283						15.50							
21	J. Baumgarten & Son	284							$4.50						
27	B. Y. Pippey & Co	294			$525.53										
27	Thos. G. Hood	290			363.50										
27	Augustus Thomas & Co	297			599.34	$47.25									
30	B. H. Stinemetz & Son	301		$13.00											
30	Baltimore and Potomac R. R. Co	309								52.80					
30	Geo. W. Knox Express	313								19.03					
30	Adams Express Co	314								1.15					
30	Baltimore and Ohio R. R. Co	315								10.45					
30	Baltimore and Potomac R. R. Co	424								28.80					
30	The United States Express Co	335								.90					
Dec. 7	A. C. Patterson, chief clerk	340									13.50				
19	Wm. D. Clark & Co	352		32.16			$10.25								
20	John B. Daish	356			166.92										
21	M. J. Quinn	359					6.75								
24	Evander French	364					3.18								
27	Wm. F. Porter	368						2.00							
28	W Andrew Boyd	372						5.00							
31	Washington City post-office	397							53.00						
31	Wm. Hahn & Co	404	$305.55												
31	Saml. Bieber	409		1,200.00											
1895.															
Jan. 21	George Maier	449													
21	Department of the Interior	453						99.50							
25	Jas. J. Chapman	456							78.51						
26	The Kenyon News and Postal Subscription Co	463							38.55						
31	The Washington Post Co	474						184.65							
31	Samuel Bieber	475		12.00				72.93							
31	Joseph Auerbach	480		108.67		18.36									

	31	Geo. W. Knox Express	485								29.14				
	31	The United States Express Co	486								4.75				
	31	Adams Express Co	487								1.25				
	31	Geo. W. Knox Express	27								31.86				
	17	The Washington Times	435										5.25		
	17	do	436										2.40		
	17	do	437										3.00		
	17	Baltimore and Ohio R. R. Co	510								2.78				
Feb.	13	Wm. Wood & Co	519						6.00						
	21	D. Appleton & Co	533						47.50						
	28	B. Rich & Sons	553	149.92		131.58	30.00	34.46							
	28	Lansburgh & Bro	561		179.46	266.36		84.61	30.67						
	28	The United States Express Co	566								.75				
	28	Adams Express Co	567								.60				
	28	Geo. W. Knox Express	568								13.27				
	28	A. J. Crawford	586						23.80						
Mar.	11	N. Bunch	594							4.00					
	12	Department of the Interior	595							43.20					
	12	Baltimore and Ohio R. R. Co	596								84.00				
	19	R. C. Jones	601						20.00						
	23	Saks & Co	609	52.80	513.87		101.50								
	25	Thos. G. Hood	612			540.45									
	25	Augustus Thomas & Co	615			180.12									
	25	F. A. Thuee & Co	620						25.00						
	28	Newman & Co	626			165.23									
	30	Washington City post-office	652							50.00					
	30	Blum Bros	661		11.88	94.38		7.58							
	28	J. P. Nawrath	689					64.60							
Apr.	19	Baltimore and Ohio R. R. Co	702								58.50				
	26	The Washington Post Co	718						70.68						
	27	W. H. Lowdermilk & Co	721						106.35						
	30	Chesapeake and Potomac Telegraph Co	733											160.00	
	30	Thos. G. Hood	734					9.31							
	30	Guy, Curran & Co	745					137.12							
	30	Wm. D. Clark & Co	747		9.75			139.34							
	30	Samuel Bieber	758		195.00										
	30	Adams Express Co	760								10.65				
	12	The Evening Star	449										10.00		
	30	Geo. W. Knox Express	779								14.58				
May	14	F. A. Thuee	785						5.00						
	14	Department of the Interior	787							28.73					
	14	do	788							4.25					
	16	R. C. Jones	789						6.00						
	22	Baltimore and Ohio R. R. Co	798								72.00				
	25	J. C. Simpson	799		19.10										
	31	Geo. W. Knox Expres	836								11.43				
	31	Adams Express Co	837								.25				
	31	The United States Express Co	838								3.20				
June	12	Bausch & Lamb Optical Co	846												128.63
	15	Department of the Interior	852							12.00					
	20	B. Rich & Sons	862	190.00		104.50	57.90	12.04							

Classified expenditures, Government Hospital for the Insane, for the fiscal year ending June 30, 1895—Continued.

DRY GOODS AND CLOTHING, BOOKS, STATIONERY, AND MISCELLANEOUS—Continued.

Date.	Furnished by—	Voucher No.	Boots, shoes, and slippers.	New clothing.	Clothing material.	Hats.	Notions.	Books and periodicals.	Stationery and postage.	Freight and hauling.	Incidental work, etc.	Advertising.	Electrical instruments.	Photographic instruments, etc.	Grand total.
1895.															
June 20	Wm. Hahn & Co	863	$96.54												
21	Wm. D. Clark & Co	867					$20.50								
29	J. Karr	893									$55.00				
29	Wyckoff, Seamans & Benedict	894							$23.11						
29	Royce & Marean	895											$41.14		
29	Washington City post-office	899							53.00						
29	Department of the Interior	900							65.25						
29	S. Bieber	910	413.95	$3.00											
29	W. C. Newton & Co	915							150.00						
29	Thos. G. Hood	917			$84.69		4.62								
29	E. J. Pullman	964												$359.15	
29	W. H. Lowdermilk & Co	968						$8.48							
29	J. V. Calver	971									2.00				
29	Robert Cohen & Son	972	13.50												
29	Lansburgh & Bro	981			8.76		29.59								
29	Joseph Auerbach	986				$60.00									
29	Guy, Curran & Co	988					10.60								
29	Blum Bros	990		130.50	24.25		8.05								
29	B. Rich & Sons	991	160.50												
29	Wm. Ballantyne & Sons	996						53.26							
29	Fred. A. Schmidt	1002							.70						
29	E. Morrison Paper Co	1010							258.54						
29	Saks & Co	1017	26.40			59.40									
29	The Washington Post Co	1018						87.36							
29	Geo. W. Knox Express	1023								$3.38					
29	Woodward & Lothrop	1026					33.00	.25							
29	Geo. W. Knox Express	68								1.00					
	Total		2,170.16	2,518.89	4,445.01	374.41	765.56	966.15	1,122.64	793.34	1,057.39	$58.21	204.57	511.57	$14,967.90

Classified expenditures, Government Hospital for the Insane, for the fiscal year ending June 30, 1895—Continued.

MEDICAL SUPPLIES, EXPENDED FOR AMUSEMENT OF PATIENTS, ETC.

Date.	Furnished by—	Voucher No.	Drugs, medicines, etc.	Alcoholic stimulants.	Instruments, etc.	Returning eloped patients.	Amusement of patients.	Sending to their homes.	Refunded board money.	Pathological supplies.	Dental supplies.	Grand total.
1894.												
July 4	Samuel Anderson	1				$5.00						
4	R. S. Howard	2				5.00						
6	Sam. West	3				5.00						
31	H. Hoffa	33			$49.50							
31	Scheller & Stevens	39	$19.35									
31	W. M. Galt & Co	50	3.00									
31	Z. D. Gilman	53	54.66									
31	Jas. L. Barbour & Son	58		$6.09								
Aug. 11	Maria Wormley	91				5.00						
22	Arthur Bivens	97				5.00						
25	John Scott	99				5.00						
31	W. M. Galt & Co	119	3.00									
31	Jos. B. Dale	148						$2.00				
Sept. 20	A. D. Weakly	158									$12.00	
21	Geo. Albert Day	152				5.00						
Oct. 5	Edward Lanham	196				5.00						
8	Walter McKenzie	198				5.00						
12	A. C. Patterson, chief clerk	200					$90.22					
17	The Geneva Mineral Water Co	206	3.50									
20	W. H. Henson	209				5.00						
23	Belle of Nelson Distillery Co	221		729.27								
24	G. P. Mullikin	222				5.00						
31	H. M. Alexander & Co	241	30.00									
31	John M. Hutcherson	250					13.71					
31	Joseph Zeaman	251					13.71					
31	Herman Kahlert	252					13.71					
31	Henry Tavender	253					13.71					
31	C. C. Campagna	254					13.71					
31	Jerome Anderson	255					13.71					
26	Chas. J. Burch	273						44.25				
Nov. 7	W. H. Owens	275				5.00						
14	Wm. Kennedy	280				5.00						
26	W. W. Waring	290			5.00							
30	Joseph Zeaman	302					26.00					
30	C. C. Campagna	303					26.00					
30	Herman Kahlert	304					26.00					
30	Henry Tavender	305					26.00					
30	Jerome Anderson	306					26.00					
30	John F. Hutcherson	307					26.00					
13	J. C. Simpson	333						35.60				
Dec. 14	Johnson Hardy	346				5.00						

Classified expenditures, Government Hospital for the Insane, for the fiscal year ending June 30, 1895—Continued.

MEDICAL SUPPLIES, EXPENDED FOR AMUSEMENT OF PATIENTS, ETC.—Continued.

Date.	Furnished by—	Voucher No.	Drugs, medicines, etc.	Alcoholic stimulants.	Instruments, etc.	Returning eloped patients.	Amusement of patients.	Sending to their homes.	Refunded board money.	Pathological supplies.	Dental supplies.	Grand total.
1894.												
Dec. 25	Chas. E. Hayes	366				$5.00						
28	E. Shoemaker	370					$5.00					
28	Shoemaker & Busch	371	$21.95									
28	M. B. Scanlon	373					3.50					
29	Smith, Kline & French Co	375	183.66									
29	Meyer Bros. Drug Co	376	125.16									
31	Henry Tavender	377					26.00					
31	C. C. Campagna	378					26.00					
31	Herman Kahlert	379					26.00					
31	Joseph Zeaman	380					26.00					
31	John F. Hutcherson	381					26.00					
31	Jerome Anderson	382					26.00					
31	E. F. Houghton & Co	393	22.00									
31	A. C. Patterson, chief clerk	398					79.89					
31	W. M. Galt & Co	410	3.00									
31	Humphrey's Homeopathic Med. Co.	412	34.62									
1895.												
Jan. 3	Mariah Wormley	433				5.00						
19	Sheller & Stevens	445	323.28									
19	S. F. Ware	448	150.63									
21	C. C. Campagna	451					14.00					
21	Joseph Zeaman	452					14.00					
31	John F. Hutcherson	468					26.00					
31	Jerome Anderson	469					26.00					
31	Henry Tavender	470					26.00					
31	Herman Kahlert	471					26.00					
31	John F. Prosperi	472					12.00					
31	J. W. Meyer	473					12.00					
31	Bausch & Lomb Optical Co	507								$17.48		
31	Lynch Manufacturing Co	508			$24.00							
Feb. 9	Samuel Jones	515				5.00						
11	Archie L. French	516					10.00					
14	McKesson & Robbins	524	50.68									
19	F. H. M. Murray	530					4.25					
20	O. B. Jenkins	532	29.00									
25	Parke, Davis & Co	541	19.39									
28	John F. Hutcherson	542					24.00					
28	Jerome Anderson	543					24.00					
28	Henry Tavender	544					24.00					
28	Herman Kahlert	545					24.00					
28	John F. Prosperi	546					24.00					

	28	J. W. Meyer	547					24.00				
	28	J. V. Calver	548									5.50
Mar.	11	Ralph Walsh	592	12.60								
	20	Mackall Bros. & Flemer	603	332.43								
	25	Shoemaker & Busch	613	16.09								
	25	Meyer Bros. Drug Co	614	33.45								
	25	Smith, Kline & French Co	623	94.68								
	28	Chas. L. Beatty & Co	629		46.35							
	28	Jos. Thomas & Son	630					47.50				
	28	The Insectolene Co	633	7.75								
	28	O. S. Taylor	636					3.50				
	29	Winkelmann & Brown Drug Co	640	2.30								
	29	The Herendeen Manufacturing Co	641								.69	
	30	John F. Hutcherson	644					26.00				
	30	Jerome Anderson	645					26.00				
	30	Henry Tavender	646					26.00				
	30	Herman Kahlert	647					26.00				
	30	John F. Prosperi	648					26.00				
	30	J. W. Meyer	649					26.00				
	30	A. C. Patterson, chief clerk	657					71.84				
	30	Z. D. Gilman	668	291.19								
	4	F. S. Tripp	687						14.00			
	28	J. P. Nawrath	689	43.60								
Apr.	12	John F. Prosperi	695					10.00				
	18	Jas. M. Dean	696				5.00					
	19	C. Christiani	699	1.50								
	23	Wm. M. Galt & Co	707	6.00								
	24	O. W. Somerville	711				2.75					
	29	John F. Hutcherson	722					26.00				
	29	Jerome Anderson	723					26.00				
	29	Herman Kahlert	724					26.00				
	29	J. W. Meyer	725					26.00				
	29	Henry Tavender	726					26.00				
	29	F. H. Fletcher	727					10.00				
	30	H. Hoffa	732			24.00						
	30	Jas. L. Barbour & Son	741		19.50							
	10	A. H. Witmer	778						41.10			
	19	Wm. Kennedy	794				5.00					
	19	L. Wilkinson	795				5.00					
May	20	William Wiggins	833						2.55			
	21	H. L. Hendrick	834						29.60			
	29	James E. Toner	835						13.40			
June	6	Arthur Cook	839				5.00					
	8	Walter McKenzie	840				5.00					
	12	Chas. L. Beatty & Co	847		45.90							
	12	Amelia Bennett	849							$83.00		
	14	Franklin & Co	850			5.25						
	22	Whitall, Tatum & Co	875								148.25	
	22	John F. Ellis & Co	876					159.50				
	29	Wm. H. Wilkerson	880				5.00					
	29	Shoemaker & Busch	883	1.15	14.82							
	29	Smith, Kline & French Co	886	9.55								

Classified expenditures, Government Hospital for the Insane, for the fiscal year ending June 30, 1895—Continued.

MEDICAL SUPPLIES, EXPENDED FOR AMUSEMENT OF PATIENTS, ETC.—Continued.

Date.	Furnished by—	Voucher No.	Drugs, medicines, etc.	Alcoholic stimulants.	Instruments, etc.	Returning eloped patients.	Amusement of patients.	Sending to their homes.	Refunded board money.	Pathological supplies.	Dental supplies.	Grand total.
1895.												
June 29	E. F. Houghton & Co	887	$22.00									
29	McKesson & Robbins	889	7.50									
29	J. Elwood Lee Co	892	21.41									
29	Wm. M. Galt & Co	909	3.00									
29	Jas. L. Barbour & Son	911		$4.88								
29	Humphrey's Homeopathic Med. Co.	924	18.00									
25	Margaret Bonner	942						$8.00				
29	Parke, Davis & Co	943	27.18									
29	Meyer Bros. Drug Co	951		39.56								
29	S. F. Ware	954	4.94									
29	Henry Eberbach	958					$5.56					
29	A. C. Patterson, chief clerk	962					60.25					
29	T. H. McAllister	966					9.40					
29	Mackall Bros. & Flemer	970	44.60									
29	E. J. Lewis	973									$3.00	
29	Chas. Fischer	975			$5.50							
29	Scheller & Stevens	976	119.33									
29	Claflin Optical Co	993					1.00					
29	E. T. Droop & Sons	995					18.07					
29	Winklemann & Brown Drug Co	1001	2.70									
29	John S. Anistaki	1004	31.20									
29	Z. D. Gilman	1006	220.87									
29	Mellville Lindsay	1007		24.40								
	Total		2,451.90	930.77	113.25	$117.75	1,569.74	188.50	$83.00	$166.42	20.50	$5,641.83

Classified expenditures, Government Hospital for the Insane, for the fiscal year ending June 30, 1895—Continued.

FARM, GARDEN, AND STABLE.

Date.	Furnished by—	Voucher No.	Feed.	Implements, horseshoes, etc.	Plants and seeds.	Manures.	Live stock.	Harness and repairs.	Vehicles and repairs.	Hay and straw.	Incidental expenses.	Grand total.
1894.												
July 31	W. E. Clark & Co	15		$84.94	$3.70							
31	J. B. Kendall	42							$11.25			
31	W. L. King	48						$2.50				
31	W. M. Galt & Co	50	$180.00									
31	B. B. Earnshaw & Bro	55	474.25									
31	Chas. T. Carter & Co	62		64.08								
Aug. 31	Paul Hiser, jr	107					$75.00					
31	L. W. Hickman	112					250.00					
31	James E. Toner	113						10.00	25.00			
31	Jas. A. Beall	114							42.75			
31	James Simms	115					35.00					
31	F. Shea	116					350.00					
31	W. M. Galt & Co	119	547.00									
31	S. S. Daish & Son	127	166.44									
Sept. 29	Thos. G. Hood	157		19.32								
29	S. S. Daish & Son	160	505.95									
29	B. B. Earnshaw & Bro	164	282.00									
29	W. M. Galt & Co	165	492.00									
29	Chas. T. Carter & Co	169		54.15								
Oct. 13	Jas. A. Beall	202							70.00			
22	R. C. Jones	210					60.00					
22	D. O. Munson	213			16.40							
22	Mary L. Hutton	217					250.00					
25	Jas. A. Beall	223							195.00			
30	Paul Hiser & Co	236		25.00								
Nov. 24	Jas. A. Beall	288							143.65			
24	W. H. Douglas	289			32.10							
27	F. Shea	292					588.00					
27	Thos. W. Riley	293				$423.75						
27	Thos. G. Hood	296		19.32								
27	Augustus Thomas & Co	297		3.29								
28	Wm. H. Douglas	298			19.55							
30	W. H. Forrester	300									$8.00	
30	W. M. Galt & Co	311	855.00									
30	H. P. Pillsbury	336	34.00							$874.82		
Dec. 11	C. A. J. Williamson	345									1.95	
19	B. Lampkins	350									32.50	
20	S. S. Daish & Son	355	1,294.68									
21	Thos. Hatton	360									14.58	
24	R. S. Burke	365									22.14	

Classified expenditures, Government Hospital for the Insane, for the fiscal year ending June 30, 1895—Continued.

FARM, GARDEN, AND STABLE—Continued.

Date.	Furnished by—	Voucher No.	Feed.	Implements, horseshoes, etc.	Plants and seeds.	Manures.	Live stock.	Harness and repairs.	Vehicles and repairs.	Hay and straw.	Incidental expenses.	Grand total.
1894.												
Dec. 28	R. Nelson	369									$5.37	
29	Jas. A. Beall	374							$135.25			
31	Chas. T. Carter & Co	383		$43.80								
31	P. Mann & Co	402			$4.25	$168.00						
31	W. M. Galt & Co	410	$427.50									
1895.												
Jan. 12	S. S. Adams	437		25.95					24.14			
25	Jas. A. Beall	455		12.50					10.00			
25	John Thompson	457								$7.45		
25	J. H. Mitchell	458		13.50								
31	W. E. Clark & Co	481	3.00	234.18	205.79	19.08						
31	S. S. Daish & Son	482	765.39									
Feb. 16	Paul Hiser & Bro	527		21.25								
28	H. P. Pillsbury	555	62.25							395.27		
28	Wm. M. Galt & Co	558	741.00									
28	S. S. Daish & Son	562	386.59									
28	J. A. Beall	564		9.75					4.50			
Mar. 20	F. Shea	604					$440.00					
20	David Murphy	605					100.00					
22	John Fegan	607									5.00	
28	Max Frank	625						$104.64				
28	The Mineralized Rubber Co	637		1.80								
29	Jas. A. Beall	642							14.90			
30	Paul Hiser & Bro	643		36.00								
30	M. E. Woods	650		12.90								
30	Thos. W. Riley	653				123.75						
30	W. H. Owens	655	13.00									
30	W. D. Pyles	658	30.75									
30	S. S. Adams	660		16.06								
30	S. S. Daish & Son	666	477.89									
28	J. P. Naurath	689		35.45								
Apr. 9	Ben. F. Cox	693	7.50									
18	N. Studer	698			48.00							
19	Hoopes Bro. & Thomas	701			17.50							
20	Chas. T. Carter & Co	705		33.57								
23	Wm. M. Galt & Co	707	540.00									
24	John Lewis Childs	712			29.70							
24	Peter Henderson & Co	714			27.02							
25	Thos. Meehan & Sons	717			83.60							
30	S. S. Daish & Son	738	552.30									

May 2	Fred. Steiner	780									2.25	
16	S. S. Adams	790		12.45								
26	John McDermott & Bro	800							13.50			
31	W. M Galt & Co	805	445.50									
31	J T. Campbell & Son	810			80.68							
31	F W. Bolgiano	813			45.51							
31	S. S. Daish & Son	815	340.39									
June 20	H. P. Pillsbury	856	126.50							765.78		
21	E. E. Berry	872									20.00	
25	Wm. E. Clark & Co	877		255.19	257.29							
29	Geo. F. Pyles	896			44.00							
29	Wm. M. Galt & Co	909	378.00			75.00						
29	S. S. Daish & Son	913	543.46									
29	Thos. G. Hood	917		19.32								
29	Jas. A. Beall	923							209.90			
29	Max Frank	944						16.32				
29	Union Transfer Co	952				100.60						
29	David Murphy	953				125.00						
29	S. S. Adams	955		17.35								
29	Barber & Ross	967		27.00								
29	Lutz & Bro	969						220.00				
29	Standard Oil Co	982							2.50			
29	Melville Lindsay	1007		39.05								
29	W. L. King	1008						91.22				
29	J. B. Kendall	1013							209.92			
29	P. Mann & Co	1025				79.84						
	Total		10,672.34	1,137.17	915.09	1,114.42	2,148.00	444.68	1,112.26	2,043.32	111.79	$19,699.07

Classified expenditures, Government Hospital for the Insane, for the fiscal year ending June 30, 1895—Continued.

REPAIRS AND IMPROVEMENTS.

Date.	Furnished by—	Voucher No.	Lumber, doors, etc.	Hardware, etc.	Engineers' and plumbers' supplies.	Paints, oils, glass, etc.	Roofing.	Ironwork, etc.	Plastering, etc.	Sundry small repairs.	Masons' supplies.	Building.	Grand total.
1894.													
July 31	W. T. Galliher & Bro	29	$61.31										
31	F. P. May & Co	35		$16.20									
31	Geo. F. Muth & Co	38				$15.90							
31	Robert Boyd	43		1.85									
31	J. H. Chesley & Co	47		49.77									
31	Wm. H. Butler	52				17.00							
31	L. H. Schneider's Son	65		52.50									
31	Jouvenal & Smith	405									$34.45		
31	Church & Stephenson	406	21.09										
Aug. 31	Chas. White & Co	110						$90.80					
31	....do	1						903.45					
31	John B. Daish	2									53.55		
Sept. 29	The Philip Carey Manufacturing Co	158			$660.00								
29	J. H. Stevens	4									34.00		
29	Cuyler & Mohler	5			1,038.22								
29	Thos. W. Smith	6	1,447.02										
29	C. Thomas & Son	410										$2,600.00	
Oct. 8	E. J. Brooks & Co	199			61.59								
18	Hugh Reilly	208				257.00							
31	J. T. Campbell & Son	242		2.33									
17	Clark Bros	8									49.01		
25	Chas. Ford	9									515.91		
31	Geo. F. Randall	11					$20.48						
31	C. Thomas & Son	416										3,000.00	
31	J. T. Campbell & Son	417						530.00					
31	J. H. Stevens	419									16.00		
Nov. 26	Frank Libbey & Co	13	228.06										
26	Chas. Ford	14									90.00		
30	Jouvenal & Smith	15									107.83		
26	Chas. Ford	421									506.40		
30	J. H. Stevens	422									14.40		
30	Jouvenal & Smith	423									57.94		
30	C. Thomas & Sons	426										3,000.00	
27	L. H. Schneider's Son	334		280.72									
Dec. 17	Joseph H. Brooke	348				46.40							
28	Shoemaker & Busch	371				82.06							
29	Smith, Kline & French Co	375				429.47							
29	Meyer Bros. Drug Co	376				148.23							
31	Lubroleine Oil Co	392				23.40							
31	C. E. Bigelow	394			214.76								

31	Hugh Reilly	408				132.20							
31	E. E. Jackson & Co	411	61.05										
31	The Leavitt Machine Co	413			86.00								
31	Poland Laundry Machine Co	414			7.20								
20	John B. Daish	17							$47.60				
31	J. H. Stevens	18									20.00		
20	John B. Daish	428									77.35		
31	Clark Bros	429									74.25		
28	Robert Leitch & Son	431			71.34								
31	C. Thomas & Son	432										3,000.00	
Nov. 27	Ingalls & Kendricken	432			745.00								
1895.													
Jan. 18	Thos. W. Smith	441	120.00										
21	Chas. Becker	450				98.04							
24	C. E. Winston	454								$195.00			
26	Henry McShane Manufacturing Co	464								174.30			
31	Robert Leitch & Sons	476			81.80								
11	W. E. Dante	20								43.00			
18	Thos. W. Smith	21	297.84										
19	Frank Libbey & Co	22	156.58										
19	Clayton E. Emig	23								756.00			
21	W. M. Whyte & Bro	24						101.00					
31	Robert Leitch & Son	25			19.40								
31	John B. Daish	26									17.85		
14	Thos. Somerville & Sons	434			398.97								
18	Thos. W. Smith	438	427.08										
31	C. Thomas & Son	439										3,000.00	
18	Thos. W. Smith	441	156.00										
Feb. 13	Chas. M. Childs & Co	521				21.46							
21	Cuyler & Mohler	535			52.48								
28	E. J. Brooks & Co	538			203.97								
28	L. H. Schneider's Son	550		184.11									
28	J. H. Brooke	565			12.75								
21	Cuyler & Mohler	29			272.89								
21	Pettit & Dripps	30						91.06					
23	John D. Emack	31					180.00						
23	A. Lambla	32									177.30		
28	L. H. Schneider's Son	33								153.35			
28	John D. Daish	34									11.90		
21	Cuyler & Mohler	443			176.25								
21	.....do	445			218.00								
21	W. M. Whyte & Bro	446						108.60					
Mar. 11	The Kilbourne & Jacobs Manufacturing Co	593			17.75								
25	Shoemaker & Busch	613				13.66							
25	Meyer Bros. Drug Co	614				57.30							
25	Augustus Thomas & Co	615		3.65									
25	Standard Oil Co	618				8.73							
28	Smith, Kline & French Co	623				105.40							
28	Schaum & Uhlinger	627								36.73			
12	Wm. D. Gill & Son	36	98.07										
19	Chas. Ford	37									199.90		
20	Hayward & Hutchinson	38								16.20			

Classified expenditures, Government Hospital for the Insane, for the fiscal year ending June 30, 1895—Continued.

REPAIRS AND IMPROVEMENTS—Continued.

Date.	Furnished by—	Voucher No.	Lumber, doors, etc.	Hardware, etc.	Engineers' and plumbers' supplies.	Paints, oils, glass, etc.	Roofing.	Ironwork, etc.	Plastering, etc.	Sundry small repairs.	Masons' supplies.	Building.	Grand total.
1895.													
Mar. 23	Church & Stephenson	39	$120.18										
26	Chas. G. Smith & Son	40									$67.87		
28	Wm. Sellers & Co., Incorporated	41		$75.25									
28	Henry K. Vandusen	42									69.30		
30	Geo. F. Randall	43					$72.83						
30	J. W. Tolson	44								$32.50			
30	S. M. Frazier	45							$8.25				
30	John B. Daish	46									11.90		
30	Clark Bros	47									62.50		
30	Clayton E. Emig	48								720.00			
30	C. Thomas & Son	447										$1,300.00	
Apr. 20	Chas. T. Carter & Co	705		41.25									
30	Geo. F. Muth & Co	742				$50.64							
30	F. P. May & Co	753		129.40									
16	Jas. L. Brass	50									27.80		
30	J. H. Stevens	51									10.40		
30	C. Thomas & Son	450										3,000.00	
May 22	Thos. Somerville & Sons	797		254.41									
31	J. T. Campbell & Son	810		5.80									
31	Chas. Becker	811				80.56							
22	Thos. Somerville & Sons	53			$661.81								
31	Clark Bros	54									22.00		
31	John B. Daish	55									35.70		
11	Jas. L. Brass	452							41.60				
22	Thos. Somerville & Sons	453			156.38								
31	C. Thomas & Son	454										2,000.00	
31	Clark Bros	455							55.50				
31	Jas. L. Brass	456							27.80				
June 12	Jos. H. Brooke	848				26.25							
20	Robert Boyd	861		15.85									
21	E. E. Jackson	871	22.75										
29	E. J. Brooks & Co	884			2.11								
29	F. W. Devoe & C. F. Raynolds Co	885				80.51							
29	Smith, Kline & French Co	886				61.95							
29	F. P. May & Co	912		19.79									
20	Frank Libbey & Co	56	217.90										
21	Church & Stephenson	57	64.82										
25	Wm. E. Clark & Co	58		13.02									
29	J. H. Kuehling	59								2.00			
29	Cuyler & Mohler	60			22.35								

29	John B. Daish	61									35.70		
29	Frank Libbey & Co.	459	135.48										
29	C. Thomas & Son	460										3,000.00	
29	Jas. L. Brass	461									28.00		
29	John B. Daish	462									23.80		
29	Frank Libbey & Co.	465	66.50										
29	J. W. Tolson	466	124.71										
29	Meyer Bros. Drug Co	951				47.23							
29	Francis Miller	974				.35							
29	Hugh Reilly	983				4.80							
29	E. G. Schafer & Co	997			14.50								
29	Melville Lindsay	1007			19.17								
29	L. H. Schneider's Son	1014		92.05									
29	J. H. Chesley & Co	1015		164.82									
29	Wm. H. Butler	1016				108.65							
29	Thos. Somerville & Sons	1021			42.25								
29	Thos. W. Smith	1022	112.00										
29	Clark Bros	62									21.00		
29	Dufur & Co	63						32.85					
29	J. T. Walker Sons	64					21.26						
29	J. H. Chesley & Co	65		120.43									
29	L. H. Schneider's Son	66		54.97									
29	S. M. Frazier	67							8.25				
29	Jos. H. Brooke	956				30.00							
29	Clark Bros	467							74.75				
29	Chas. Ford	468								102.00			
29	J. H. Chesley & Co	469		340.71									
29	Pettit & Dripps	470						38.12					
29	Thos. Somerville & Sons	471			600.43								
29	Thos. W. Smith	472	104.00										
29	J. H. Chesley & Co	473		245.81									
29	Thos. W. Smith	474	258.08										
29	Robert Leitch & Sons	475			18.05								
	Total		4,300.52	2,164.69	5,875.42	1,906.21	294.57	1,895.88	263.75	2,231.08	2,474.01	25,900.00	47,306.13

Classified expenditures, Government Hospital for the Insane, for the fiscal year ending June 30, 1895—Continued.

SALARIES AND WAGES.

Date.	Furnished by—	Voucher No.	Superintendent, physicians, and general office.	Ward service.	Inside domestic department.	Engineers' department.	Farm and garden, hauling coal, drivers, etc.	Mechanics and helpers.	Making clothing.	Laundry.	Sunday service.	Grand total.
1894.												
July 31	Patrick Rouan	12					$8.00					
31	Pay roll, support	73	$1,736.97	$685.00								
31	do	74		1,220.00								
31	do	75		1,061.87								
31	do	76		990.00								
31	do	77		835.21								
31	do	78		13.58								
31	do	79		851.77								
31	do	80		317.81								
31	do	81			$1,004.99							
31	do	82			644.76							
31	do	83			243.75							
31	do	84								$559.01		
31	do	85					1,261.68					
31	do	86					300.92					
31	do	87				$868.33		$904.96				
31	do	88					1,213.64					
31	do	89					121.20					
Aug. 6	Sarah J. Poates	90							$10.00			
17	M. McInturf	93							10.00			
18	Ellen Bowling	95							10.00			
29	Sarah M. Lanham	101							6.00			
31	Patrick Rouan	105					8.00					
31	Pay roll, support	131	1,768.20	715.00								
31	do	132		1,197.26								
31	do	133		1,060.49								
31	do	134		995.00								
31	do	135		786.03								
31	do	136		34.26								
31	do	137		862.90								
31	do	138		314.00								
31	do	139			1,014.57							
31	do	140			647.47							
31	do	141			252.79							
31	do	142								592.82		
31	do	143					1,264.16					
31	do	144					271.56					
31	do	145				868.33		1,048.53				
31	do	146					1,224.54					

	31	.....do	147					399.10				
	31	Pay roll, repairs and improvements	3						285.00			
Sept.	12	Jane Beavan	149							6.00		
	15	Sarah Jones	150			5.00						
	28	M. McInturf	153							6.00		
	29	Ellen Bowling	154							6.00		
	29	Patrick Rouan	156					8.00				
	29	Pay roll, support	174	1,982.06	678.00							
	29	.....do	175		1,146.83							
	29	.....do	176		1,051.67							
	29	.....do	177		980.84							
	29	.....do	178		812.87							
	29	.....do	179		67.80							
	29	.....do	180		794.67							
	29	.....do	181		349.60							
	29	.....do	182			1,013.77						
	29	.....do	183			634.50						
	29	.....do	184			212.47						
	29	.....do	185								582.17	
	29	.....do	186					1,241.68				
	29	.....do	187					626.21				
	29	.....do	188				772.09		1,041.40			
	29	.....do	189					1,150.21				
	29	.....do	190					812.85				
	29	Pay roll, repairs and improvements	7						533.94			
	29	W. G. Parks	411						100.00			
Oct.	4	Mary F. Cator	194							6.00		
	5	Jane Beavan	195							6.00		
	6	Annie Talbert	197							6.00		
	13	T. B. Middleton	201					82.36				
	13	B. F. Joy	203					361.99				
	15	Martha Weedon	204							8.50		
	25	Geo. W. Richardson	224					176.86				
	25	Harry Pleasant	225					82.74				
	25	James Quarles	226					4.68				
	25	Geo. F. Pyles	227					334.92				
	27	W. D. Pyles	231					81.95				
	27	R. A. Padgett	232					57.79				
	31	Ellen Bowling	237							6.00		
	31	C. E. Gardner	238							14.50		
	31	Gennie Biggs	239							8.50		
	31	Pay roll, support	256	1,991.97	655.00							
	31	.....do	257		1,163.38							
	31	.....do	258		1,080.87							
	31	.....do	259		970.16							
	31	.....do	260		809.16							
	31	.....do	261		130.65							
	31	.....do	262		817.09							
	31	.....do	263		405.62							
	31	.....do	264			1,011.90						
	31	.....do	265			647.54						
	31	.....do	266			167.75						

Classified expenditures, Government Hospital for the Insane, for the fiscal year ending June 30, 1895—Continued.

SALARIES AND WAGES—Continued.

Date.	Furnished by—	Voucher No.	Superintendent, physicians, and general office.	Ward service.	Inside domestic department.	Engineers' department.	Farm and garden, hauling coal, drivers, etc.	Mechanics and helpers.	Making clothing.	Laundry.	Sunday service.	Grand total.
1894.												
Oct. 31	Pay roll, support	267								$585.53		
31	do	268					$1,196.58					
31	do	269					528.97					
31	do	270				$842.00		$1,070.90				
31	do	271					1,254.60					
31	do	272					527.64					
31	Pay roll, repairs and improvements	12						409.69				
31	W. G. Parks	418						108.00				
31	Pay roll, buildings, and grounds	420						280.00				
Nov. 9	Jane Beavan	277							$7.68			
10	Katie Ridgely Barclay	278							8.50			
20	Fannie S. Russell	282							8.50			
21	M. McInturf	285							12.00			
24	Ellen Bowling	287							10.00			
30	C. E. Gardiner	308							6.00			
30	Pay roll, support	316	$1,999.97	$685.00								
30	do	317		1,211.45								
30	do	318		1,062.00								
30	do	319		1,004.17								
30	do	320		793.27								
30	do	321		103.37								
30	do	322		885.00								
30	do	323		379.66								
30	do	324			$999.36							
30	do	325			644.67							
30	do	326			179.97							
30	do	327								581.37		
30	do	328					1,206.36					
30	do	329					574.63					
30	do	330				910.83		1,002.03				
30	do	331					1,088.52					
30	do	332					225.76					
30	Pay roll, repairs and improvements	16						392.62				
30	Pay roll, buildings and grounds	425						451.25				
30	W. G. Parks	427						104.00				
Dec. 3	Sarah M. Lanham	337							6.00			
6	L. A. Brauman	338							8.50			
8	May Cooksey	341							8.50			
8	M. McInturf	342							6.00			

8	Alice Pumphrey	343							6.00			
8	Mary F. Cator	344							9.00			
15	Ellen Bowling	347							6.00			
17	Annie Talbert	349							6.00			
21	Jane Beavan	357							12.00			
21	Gennie Biggs	358							12.00			
22	Lavinia Klinehause	361							8.50			
22	Fannie S. Russell	363							6.00			
31	M. McInturf	399							6.00			
31	Pay roll, support	416	1,992.06	625.00								
31	do	417		1,216.77								
31	do	418		1,090.00								
31	do	419		956.45								
31	do	420		796.19								
31	do	421		165.20								
31	do	422		865.00								
31	do	423		390.44								
31	do	424			1,011.02							
31	do	425			633.50							
31	do	426			184.00							
31	do	427								586.50		
31	do	428					1,204.34					
31	do	429					586.92					
31	do	430				855.28		972.87				
31	do	431					949.88					
31	Pay roll, repairs and improvements	19						462.19				
31	Pay roll, buildings and grounds	430						201.19				
	W. G. Parks	433						104.00				
1895.												
Jan. 9	Katie Ridgely Barclay	434							8.50			
11	Mary F. Cator	435							6.00			
12	Katie Goodwin	436							8.50			
19	Jane Beavan	443							6.00			
28	Ellen Bowling	465							6.00			
31	Sarah J. Poates	466							6.00			
31	M. McInturf	467							6.00			
31	Pay roll, support	491	1,869.97	662.50								
31	do	492		1,230.00								
31	do	493		1,059.52								
31	do	494		946.45								
31	do	495		814.00								
31	do	496		222.68								
31	do	497		873.71								
31	do	498		408.68								
31	do	499			1,035.83							
31	do	500			661.66							
31	do	501			180.71							
31	do	502								592.50		
31	do	503					1,249.16					
31	do	504					540.45					
31	do	505				875.83		981.63				
31	do	506					720.80					

Classified expenditures, Government Hospital for the Insane, for the fiscal year ending June 30, 1895—Continued.

SALARIES AND WAGES—Continued.

Date.	Furnished by—	Voucher No.	Superintendent, physicians, and general office.	Ward service.	Inside domestic department.	Engineers' department.	Farm and garden, hauling coal, drivers, etc.	Mechanics and helpers.	Making clothing.	Laundry.	Sunday service.	Grand total.
1895.												
Jan. 31	Pay roll, repairs and improvements	28						$318.63				
31	W. G. Parks	440						76.25				
31	Pay roll, buildings and grounds	442						243.00				
Feb. 4	Annie Talbert	511							$6.00			
4	Gennie Biggs	512							6.00			
4	Sarah M. Lanham	513							6.00			
4	Laura Brauman	514							8.50			
12	Nannie Hodges	517		$4.50								
12	Jane Beavan	518							6.00			
14	Martha Weedon	522							8.50			
14	Alice Pumphrey	523							6.00			
15	Mary F. Cator	525							6.00			
16	Ellen Bowling	526							6.00			
19	Katie Ridgely Barclay	528							8.50			
19	M. McInturf	529							6.00			
19	Kate Goodwin	531							8.50			
23	Sarah J. Poates	539							6.00			
28	Lavinia Klinehauser	549							8.50			
28	Pay roll, support	569	$1,861.97	686.07								
28	.....do	570		1,188.75								
28	.....do	571		1,095.00								
28	.....do	572		935.89								
28	.....do	573		786.29								
28	.....do	574		174.21								
28	.....do	575		881.25								
28	.....do	576		415.50								
28	.....do	577			$1,037.83							
28	.....do	578			661.88							
28	.....do	579			179.00							
28	.....do	580								$587.00		
28	.....do	581					$1,249.16					
28	.....do	582					379.00					
28	.....do	583				$973.33		875.13				
28	.....do	584					618.40					
28	Pay roll, repairs and improvements	35						265.13				
28	W. G. Parks	444						32.00				
Mar. 2	Ellen Bowling	587							6.00			
4	Jane Beavan	588							6.00			
8	Fannie S. Russell	589							8.50			

	13	Mary F. Cator	597							6.00		
	14	M. McInturf	598							6.00		
	22	C. A. Wedding	606							8.50		
	25	Martha Weedon	621							8.50		
	28	Gennie Biggs	622							6.00		
	28	Ellen Bowling	651							9.00		
	30	Laura Brauman	654							8.50		
	30	M. McInturf	656							9.00		
	30	Pay roll, support	671	1,862.06	669.08							
	30	....do	672		1,186.61							
	30	....do	673		1,090.81							
	30	....do	674		990.97							
	30	....do	675		711.90							
	30	....do	676		126.29							
	30	....do	677		855.00							
	30	....do	678		414.68							
	30	....do	679			1,017.65						
	30	....do	680			675.76						
	30	....do	681			153.35						
	30	....do	682								592.50	
	30	....do	683					1,247.89				
	30	....do	684					695.40				
	30	....do	685				871.24		764.63			
	30	....do	686					945.40				
	30	Pay roll, repairs and improvements	49						427.00			
	30	W. G. Parks	448						92.00			
Apr.	4	C. E. Gardner	690							6.00		
	6	Sarah J. Poates	691							6.00		
	9	Mattie Kenner	692							8.50		
	11	Mary F. Cator	694							9.00		
	18	Jane Beavan	697							9.00		
	23	A. R. Anderson	709							6.00		
	25	M. McInturf	715							9.00		
	30	Ellen Bowling	735							9.00		
	30	Pay roll, support	761	1,864.37	662.50							
	30	....do	762		1,174.00							
	30	....do	763		1,060.00							
	30	....do	764		979.17							
	30	....do	765		762.00							
	30	....do	766		233.20							
	30	....do	767		915.00							
	30	....do	768		430.73							
	30	....do	769			1,008.83						
	30	....do	770			718.00						
	30	....do	771			178.43						
	30	....do	772								590.00	
	30	....do	773					1,245.16				
	30	....do	774					479.33				
	30	....do	775				868.33		917.42			
	30	....do	776					1,142.12				
	30	....do	777					226.20				
	30	Pay roll, repairs and improvements	52						94.33			

Classified expenditures, Government Hospital for the Insane, for the fiscal year ending June 30, 1895—Continued.

SALARIES AND WAGES—Continued.

Date.	Furnished by—	Voucher No.	Superintendent, physicians, and general office.	Ward service.	Inside domestic department.	Engineers' department.	Farm and garden, hauling coal, drivers, etc.	Mechanics and helpers.	Making clothing.	Laundry.	Sunday service.	Grand total.
1895.												
Apr. 30	Pay roll, buildings and grounds	451						$355.00				
May 10	Mary F. Cator	781							$9.00			
16	Jane Beavan	791							9.00			
18	M. McInturf	793							6.00			
27	Alice Pumphrey	801							6.00			
31	Pay roll, support	816	$1,869.97	$692.50								
31	do	817		1,228.23								
31	do	818		961.13								
31	do	819		940.00								
31	do	820		749.42								
31	do	821		300.43								
31	do	822		830.48								
31	do	823		415.00								
31	do	824			$1,053.12							
31	do	825			657.50							
31	do	826			206.88							
31	do	827								$592.50		
31	do	828					$1,254.16					
31	do	829					553.80					
31	do	830				$831.79		838.97				
31	do	831					1,178.04					
31	do	832					405.90					
31	Pay roll, buildings and grounds	457						405.00				
31	do	458						21.60				
June 8	M. McInturf	841							4.50			
11	Jane Beavan	842							4.50			
11	Ellen Bowling	843							3.00			
12	Kate Goodwin	845							3.00			
18	Mary F. Cator	853							4.50			
18	M. McInturf	854							4.50			
27	Jane Beavan	875							4.50			
29	William E. Parson	916									$100.00	
29	Pay roll, support	925	1,835.06	702.50								
29	do	926		1,199.00								
29	do	927		1,019.17								
29	do	928		993.33								
29	do	929		682.20								
29	do	930		278.40								
29	do	931		879.66								

29	do	932		423.00								
29	do	933			1,028.88							
29	do	934			672.50							
29	do	935			196.67							
29	do	936								592.50		
29	do	937					1,254.18					
29	do	938					405.00					
29	do	939				800.84		940.50				
29	do	940					1,097.24					
29	do	941					470.30					
29	W. G. Parks	463						100.00				
29	Pay roll, buildings and grounds	464						1,254.10				
29	Mary F. Cator	946							4.50			
29	Thomas B. Hughes	947									100.00	
29	Gilbert F. Williams	948									100.00	
29	Jacob D. Wilson	949									100.00	
29	John Chester	950									100.00	
	Total		22,584.63	73,049.75	22,473.26	10,338.22	37,796.33	18,534.91	613.68	7,034.40	500.00	$192,925.18

Detailed statement of receipts and expenditures for the fiscal year ending June 30, 1895.

RECEIPTS.

Appropriation for—	
Support	$266,520.0
District of Columbia	96,480.0
Repairs and improvements	13,000.0
Buildings and grounds	12,240.0
Miscellaneous receipts	26,891.7
On hand, buildings and grounds	61,663.3
	476,795.06

EXPENDITURES.

Subsistence:		
Flour, meal, and crackers	$11,898.77	
Ice	3,725.55	
Butter, cheese, and eggs	23,851.32	
Fresh meat	25,658.06	
Salt and smoked meats	7,851.44	
Fish and poultry	7,320.48	
Tea and coffee	8,235.81	
Sugar, molasses, etc	6,494.45	
Lard	1,315.71	
Fruits and vegetables	7,249.10	
Other groceries	14,460.27	
		118,060.96
House furnishing, fuel, lights, etc.:		
Furniture, fixtures, etc	3,828.86	
Bedding	7,102.82	
Table and towel linen	1,385.31	
Utensils, crockery, etc	2,501.23	
Kitchen fittings	344.21	
Laundry supplies	3,423.73	
Carpets, etc	778.97	
Hard coal	5,093.37	
Soft coal	13,103.59	
Wood	370.68	
Lights, oils, etc	2,352.27	
Charcoal	72.00	
		40,357.04
Dry goods and clothing, books, stationery, and miscellaneous:		
Boots, shoes, and slippers	2,170.16	
New clothing	2,518.89	
Clothing material	4,445.01	
Hats	374.41	
Notions	765.56	
Books and periodicals	966.15	
Stationery and postage	1,122.64	
Freight and hauling	793.34	
Incidental work, etc	1,057.39	
Advertising	58.21	
Electrical instruments	204.57	
Photographic instruments, etc	511.57	
		14,987.90
Medical supplies, expended for amusement of patients, etc.:		
Drugs, medicines, etc	2,451.90	
Alcoholic stimulants	930.77	
Instruments, etc	113.25	
Returning eloped patients	117.75	
Amusement of patients	1,569.74	
Sending to their homes	188.50	
Refunded board money	83.00	
Pathological supplies	166.42	
Dental supplies	20.50	
		5,641.83

EXPENDITURES—continued.

Farm, garden, and stable:		
Feed	$10,672.34	
Implements, horseshoes, etc	1,137.17	
Plants and seeds	915.09	
Manures	1,114.42	
Live stock	2,148.00	
Harness and repairs	444.68	
Vehicles and repairs	1,112.26	
Hay and straw	2,043.32	
Incidental expenses	111.79	
		$19,699.07
Repairs and improvements:		
Lumber, doors, etc	4,300.52	
Hardware, etc	2,164.69	
Engineers and plumbers' supplies	5,875.42	
Paints, oils, etc	1,906.21	
Roofing	294.57	
Ironwork, etc	1,895.88	
Plastering, etc	263.75	
Sundry small repairs	2,231.08	
Masons' supplies	2,474.01	
Buildings	25,900.00	
		47,306.13
Salaries and wages:		
Superintendent, physicians, and general office	22,584.63	
Ward service	73,049.75	
Inside domestic department	22,473.26	
Engineers' department	10,338.22	
Farm and garden, hauling coal, drivers, etc	37,796.33	
Mechanics and helpers	18,534.91	
Making clothing	613.68	
Laundry	7,034.40	
Sunday service	500.00	
		192,925.18
Covered into United States Treasury:		
On support		4.96
Repairs and improvements		2.91
On buildings and grounds		.01
On hand, buildings and grounds		37,809.07
		476,795.06

Itemized receipts.

1894.	Cash received for—	
July 4.	Board of Amon Woodward	$25.00
4.	Board of United States Soldiers' Home patients	910.00
4.	Board and special attendance of S. C. Borrows	260.00
4.	Board of C. Z. Borrows	64.00
4.	Board and special attendance of Edward Burchell	211.00
4.	Board of Henry D. McEwan	30.00
4.	Board of Mary S. Hart	130.00
5.	Board of Susan Linkins	20.00
5.	Board of John N. Berryman	65.00
7.	Special attendance of John B. McDonald	10.00
7.	Board of W. H. Zepp	91.00
9.	Board of Martha A. Garland	105.00
9.	Board of Martha Herman	25.00
9.	Board of Francis M. Cook	65.00
10.	Board of E. J. Losey	20.00
12.	Special attendance of J. B. McDonald	10.00
17.	Board of Lucy L. Lang	21.43
17.	Board of Carrie Hotchkiss	20.00
18.	Board, Marine-Hospital Service	1,289.57
18.	Funeral service, Marine-Hospital Service	10.00
21.	Special attendance of J. B. McDonald	10.00
23.	Board of C. K. Yancey	91.00
23.	Board of John G. Hildt	65.00
28.	Board of J. B. McDonald	10.00
31.	Board of Lucy L. Lang	22.15
31.	Board of Amon Woodward	25.00
31.	Board of Edward Lake	65.00

Itemized receipts—Continued.

1894.	Cash received for—	
July 31.	Special attendance of J. B. McDonald	$10.00
31.	Board of Henry D. McEwan	31.00
31.	Sale of stock, etc	327.88
Aug. 4.	Board of Susan Linkins	20.00
7.	Board of Martha Herman	20.00
7.	Special attendance of Rollin Perkins	75.00
11.	Board of W. H. Zepp	91.00
11.	Board of M. A. Gilleland	27.37
11.	Special attendance of J. B. McDonald	10.00
13.	Board of E. J. Losey	20.00
15.	Board of Bryan Hall	130.00
15.	Board of Louis Heilburn	142.00
17.	Board of Frank B. Hayes	65.00
18.	Board of John A. Cutter	58.50
18.	Special attendance of J. B. McDonald	10.00
18.	Board of Carrie Hotchkiss	22.00
21.	Board of Earl S. Stone	65.00
21.	Board of W. H. Rose	65.00
24.	Board of Mary E. Watkins	16.50
24.	Board of Henry D. McEwan	31.00
25.	Special attendance of J. B. McDonald	10.00
31.	Sale of stock, etc	339.69
Sept. 3.	Special attendance of J. B. McDonald	10.00
3.	Board of L. L. Lang	22.15
3.	Board of Amon Woodward	20.00
7.	Special attendance of J. B. McDonald	10.00
8.	Board of Benj. F. Ellis	65.00
12.	Board of A. D. McCall	65.00
13.	Board of E. J. Losey	20.00
14.	Board of Rufus E. Wilcox	65.00
14.	Board of Susan Linkins	22.85
15.	Board of H. S. Cottel	240.04
17.	Special attendance of J. B. McDonald	10.00
17.	Board of Frank P. Davis	98.52
17.	Board of Wm. H. Hindes	65.00
18.	Board of Martha Herman	20.00
19.	Board of Robert G. Dunlap	130.00
21.	Board of Mary E. Webster	65.00
25.	Special attendance of J. B. McDonald	10.00
25.	Board of John N. Berryman	65.00
28.	Board of Caroline Hotchkiss	23.00
29.	Board of Henry D. McEwan	30.00
29.	Special attendance of J. B. McDonald	10.00
29.	Board of Frank White	91.00
29.	Board of Chu-e-rah-rah-he-kah	91.00
29.	Board of United States Soldiers' Home patients	924.28
29.	Sale of stock, etc	251.00
Oct. 5.	Board of Martha Herman	25.00
8.	Board of John Hildt	65.00
9.	Board of Joseph P. Hutchins	72.00
11.	Board of Edward Lake	65.00
12.	Board of Amon Woodward	15.15
12.	Board of Susan Linkins	25.00
12.	Board and special attendance of S. C. Borrows	260.00
12.	Board of C. Z. Borrows	91.00
15.	Board and special attendance of Edward Burchell	211.00
15.	Board of Bryan Hall	65.00
15.	Special attendance of Rollin Perkins	75.00
17.	Board of J. A. Kellogg	65.00
17.	Board of Frank B. Hayes	65.00
17.	Board of John A. Cutter	58.50
17.	Special attendance of J. B. McDonald	20.00
17.	Board of Francis M. Cook	65.00
17.	Board of Jas. F. Barrett	55.00
17.	Board, Marine-Hospital Service	1,299.86
17.	Funeral expenses Marine-Hospital Service	10.00
20.	Board of Augusta Naylor	341.43
20.	Board of W. H. Zepp	182.00
23.	Board of Henry D. McEwan	17.00

Itemized receipts—Continued.

1894.		Cash received for—	
Oct.	25.	Board of Carrie Hotchkiss	$20.00
	29.	Board of C. K. Yancey	91.00
	30.	Special attendance of J. B. McDonald	20.00
	31.	Board of Catharine V. Supplee	204.29
	31.	Board of John N. Berryman	65.00
	31.	Board of James E. Wilson	100.00
	31.	Board of Sandiford M. Waters	25.00
	31.	Sale of stock, etc	112.40
Nov.	6.	Board of Martha Herman	20.00
	6.	Board of Henry E. Gross	25.00
	7.	Board of Chu-e-rah-rah-he-kah	91.00
	7.	Board of Frank White	91.00
	9.	Board of Mary S. Hart	65.00
	16.	Board of Earl S. Stone	100.00
	24.	Board of Wm. H. Rose	65.00
	26.	Board of James H. Orr	1,039.29
	27.	Board of Carrie L. Hotchkiss	20.00
	30.	Special attendance of J. B. McDonald	40.00
	30.	Sale of stock, etc	60.25
Dec.	3.	Board of Susan Linkins	20.00
	4.	Board of John G. Hildt	65.00
	4.	Board of S. M. Waters	25.00
	7.	Board of Augustus E. Hathaway	130.00
	7.	Board of Martha E. Herman	20.00
	7.	Board of A. D. McCall	65.00
	12.	Board of John G. Hildt	65.00
	13.	Board of Rufus E. Wilcox	65.00
	14.	Board of Joseph P. Hutchins	72.00
	19.	Board of Benj. F. Ellis	65.00
	26.	Board of Franklin P. Davis	100.00
	27.	Board of Florence Shumate	20.00
	27.	Board of Francis Mason	29.00
	31.	Board of Carrie L. Hotchkiss	25.00
	31.	Board of Edw. Burchell	211.00
	31.	Sale of stock, etc	173.60
1895.			
Jan.	5.	Board of Mrs. C. Z. Borrows	91.00
	5.	Board of S. C. Borrows	260.00
	5.	Board of United States Soldiers' Home patients	820.71
	5.	Board of Sandiford M. Waters	25.00
	5.	Board of Martha Herman	25.00
	7.	Board of Francis M. Cook	65.00
	11.	Board of Mary E. Webster	65.00
	12.	Board of R. G. Dunlap	65.00
	17.	Board of Francis Mason	91.00
	17.	Board of Jas. F. Barrett	19.00
	17.	Board of Susan Linkins	40.00
	18.	Board of Rollin Perkins	75.00
	21.	Board of Bryan Hall	65.00
	21.	Board of Frank B. Hayes	65.00
	21.	Board of John A. Cutter	58.50
	22.	Board, Marine-Hospital Service	1,273.50
	25.	Board of R. E. Williams	163.57
	25.	Board of Florence Shumate	47.86
	26.	Board of Chas. K. Yancey	91.00
	31.	Sale of stock, etc	376.20
Feb.	2.	Board of S. M. Waters	10.00
	4.	Board of Carrie L. Hotchkiss	20.00
	4.	Special attendance of J. B. McDonald	40.00
	5.	Board of Martha Herman	20.00
	12.	Board of H. Underhill	72.00
	12.	Board of M. A. Gilleland	27.37
	15.	Board of Thomas Hynes	195.00
	20.	Board of Earl S. Stone	100.00
	21.	Board of Earl S. Stone	65.00
	23.	Board of J. E. Wilson	100.00
	28.	Board of Susan Linkins	35.00
	28.	Board of S. M. Waters	20.00
	28.	*Sale of stock, etc*	197.80

Itemized receipts—Continued.

1895.	Cash received for—	
Mar. 2.	Board of Edw. Burchell	$144.00
4.	Board of Carrie L. Hotchkiss	20.00
4.	Board of Wm. H. Hindes	65.00
6.	Board of Martha Herman	20.00
6.	Board of Augustus E. Hathaway	65.00
13.	Board of Chu-e-rah-rah-he-kah	91.00
13.	Board of Frank White	91.00
14.	Board of Rufus E. Wilcox	65.00
16.	Board of Joseph P. Hutchins	72.00
18.	Board of A. D. McCall	65.00
18.	Board of Benj. F. Ellis	65.00
20.	Board of Francis Mason	91.00
21.	Special attendance of J. B. McDonald	80.00
23.	Board of Franklin P. Davis	61.48
29.	Board of J. N. Berryman	65.00
30.	Board of Edw. Burchell	211.00
30.	Board of S. M. Waters	25.00
30.	Board of Edward Lake	130.00
30.	Board of S. C. Borrows	260.00
30.	Board of C. Z. Borrows	91.00
30.	Board of United States Soldiers' Home patients	836.43
30.	Sale of stock, etc	442.55
April 4.	Board of Robert G. Dunlap	65.00
6.	Board of Martha Herman	25.00
6.	Board of Carrie L. Hotchkiss	25.00
8.	Board of F. M. Cook	65.00
16.	Board of F. B. Hayes	65.00
16.	Board of Mary E. Webster	65.00
16.	Board of W. H. Rose	130.00
17.	Board of Bryan Hall	65.00
18.	Board of Florence Shumate	21.43
18.	Board of James H. Orr	65.00
18.	Board of John A. Cutter	58.50
18.	Board of Susan Linkins	40.00
18.	Special attendance of Rollin Perkins	75.00
18.	Board of C. K. Yancey	91.00
18.	Board of W. H. Zepp	182.00
18.	Board of John G. Hildt	130.00
20.	Board, Marine-Hospital Service	1,189.92
20.	Burial, Marine-Hospital Service	10.00
22.	Board of Q. O'M. Gillmore	37.00
27.	Board of Q. O'M. Gillmore	20.00
30.	Board of Chu-e-rah-rah-he-kah	91.00
30.	Board of Frank White	91.00
30.	Sale of stock, etc	29.75
May 2.	Board of Florence Shumate	22.15
3.	Board of Sandiford M. Waters	20.00
8.	Board of Martha Herman	20.00
10.	Board of Carrie L. Hotchkiss	20.00
31.	Board of Sandiford M. Waters	25.00
31.	Sale of stock, etc	234.50
June 5.	Board of Wm. H. Hindes	65.00
6.	Board of Sarah M. Earll	25.00
8.	Board of Florence Shumate	5.71
11.	Board of A. D. McCall	65.00
12.	Special attendance of John B. McDonald	80.00
14.	Board of Edward Lake	65.00
14.	Board of Susan Linkins	35.00
15.	Board of Carrie L. Hotchkiss	25.00
18.	Board of Martha Herman	20.00
21.	Board of Rufus E. Wilcox	65.00
22.	Board of Franklin P. Davis	65.00
29.	Sale of stock, etc	22.67
29.	Board of Marine-Hospital Service patients	1,155.85
29.	Sale of stock, etc	249.59
29.	On account of disallowance	.20
	Total	26,891.74

REPORT

OF THE

ARCHITECT OF THE UNITED STATES CAPITOL.

OFFICE OF THE ARCHITECT OF THE
UNITED STATES CAPITOL,
Washington, D. C., July 1, 1895.

SIR: Relative to the public works under the direction of the Architect of the United States Capitol, together with a statement of the expenditures in connection with said works disbursed by your Department during the fiscal year ending June 30, 1895, I have the honor to submit the following report:

THE CAPITOL.

In compliance with the act approved August 18, 1894, a passenger elevator has been placed in the vestibule leading to the Supreme Court and the eastern elevator at the House wing has been changed from the gravity to the pressure system, and the western elevator at that wing extended to the subbasement. A passage and stairway connected with this elevator has been constructed in order to afford convenient access to the committee rooms in the Terrace.

A large amount of repairing has been done to the copper roof and the skylights of the building. During the severe weather in February last a large number of plates of skylight glass, 60 by 30 inches, were broken by unequal expansion, occasioned by the heat within and the cold without. These were replaced at the time. It will, however, require the setting of three hundred additional plates of the size named to put the skylights in good condition for the coming winter.

Painting and general repairs to the entire building have been continued.

As required by resolution of the House of Representatives, electric call bells for the Members' desks, connecting with suitable annunciators, have been placed in the Hall of Representatives. Two annunciators will be used—one in each cloakroom at either end of the Hall. This arrangement divides the numbers of the Members' desks into two sections, starting from the center aisle, and provides for a total of 360 "calls." On the right hand of each desk and out of the way of accidental disturbance is placed a small push button, the face of which is flush with the surface of the woodwork. This button is connected to wires leading through the desk legs to brass knees at the foot of the leg, used in fastening the desk to the floor. Immediately beneath these

brass knees and fixed to the floor are copper plates which have wires running through the flooring to the space beneath, where, as often as possible, they are grouped into cables suspended on suitable hangers, and carried to the rooms containing their respective annunciators.

When the desks are placed in position the screws which fasten the desks to the floor pass through the brass knees into the copper floor plates, making thereby a suitable electrical contact. Such a system of contact permits a removal of the desks at any desired time and does not require the cutting of the Hall carpet.

The recommendation heretofore made is herewith renewed, relative to the necessity of extending the coal vaults at the House wing and constructing a new apartment for the kitchen connected with the House restaurant, the present kitchen being inadequate and unsuitable for its purpose.

As recommended in a previous report, a portion of the cooking apparatus in the new Senate kitchen has been removed to the room adjoining, which is within the influence of the exhaust fan.

An additional steam boiler, for reserve, for the House wing is also recommended. Although one new boiler will be procured in connection with the extension of the electric-lighting plant, a reserve boiler is absolutely necessary in case accident should occur to one of the boilers, all of which are constantly in use during cold weather.

Arrangements are now being made for the purchase of the Senate and House electric-lighting plants and the extension of the same, as authorized in the acts approved March 3, 1893, and March 2, 1895.

Of the series of busts of those who have been Vice-Presidents of the United States, those of George Clinton and Richard M. Johnson have been received.

Various paintings in the Capitol have been restored and repaired by Mr. W. H. Duckstein, viz: Four in the Rotunda, four in the Hall of Representatives, and several in the gallery story of each wing, including those in the committee rooms of the Committees on Military Affairs and Indian Affairs of the House; in all, sixty paintings. Some of these have been rebacked and all have been treated in a creditable manner.

The statues in National Statuary Hall have also been cleaned by the same artist, and the plaster statue of Washington has been cleaned and treated with a substantial coating of glaze.

The State of New Hampshire has presented to the United States the statues of Daniel Webster and John Stark. These were received by the Government with appropriate ceremonies and placed in Statuary Hall December 20, 1894. The statues named were modeled by Carl Conrads, sculptor, after the statues in bronze now in the State House Park at Concord, N. H., the original of the Webster statue being by Thomas Ball, sculptor, and that of Stark by Carl Conrads, sculptor.

In pursuance of the following resolution, the plaque referred to was put in place at the spot designated in the resolution on June 18, 1895:

[Public resolution No. 19.]

Whereas the general committee of citizens of the United States, of which Lawrence Gardner is chairman, have donated to the United States a bronze tablet to be placed upon the Capitol to commemorate the laying of the corner stone of the building, September eighteenth, seventeen hundred and ninety-three: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States accept the said tablet, and that the Architect of the Capitol be, and is hereby, authorized and directed to cause the same, when approved by the joint committee appointed under joint resolution of Congress of August seventeenth, eighteen hundred and ninety-three, to be placed in or upon the southeast wall of the north wing of the original Capitol building, upon such

suitable place as he, the said Architect, may select, at such distance above the corner stone laid by George Washington, September eighteenth, seventeen hundred and ninety-three, as in the judgment of said Architect may be best suited to display the same, without detracting from the architectural effect of the building.

Approved, April 27, 1894.

The chief engineers of the Senate and House wings of the Capitol report that the boilers and machinery in their respective departments are in good condition.

All of the documents in the basement rooms of the Senate wing are being removed from the building, and the rooms occupied by the same are being cleaned and whitewashed.

CAPITOL TERRACES.

The substitution of marble terraces for the former earth terraces, in accordance with the comprehensive plan for the improvement of the Capitol Grounds, by Mr. Frederick Law Olmsted, has proven of great utility by giving a number of additional rooms for the use of committees of Congress and for storage purposes, but a considerable increase in the expense of its care and maintenance is involved.

The exposure to alternate heat and cold of its composite roof renders it a matter of some difficulty to prevent leakage. The removal of the asphaltic roofing and the laying of a copper roof—to be protected from wear and injury by a layer of concrete, particularly over the Senate and House committee rooms of the terrace—and the lining of the plant cases with metal, would, in my judgment, largely obviate the difficulty and make a weather-tight roof.

The documents stored in the north and south terrace rooms are now being taken from the building and these rooms cleaned and whitewashed.

CAPITOL GROUNDS.

The plateau between the grand stairways, and which surrounds the statue of Chief Justice Marshall, has been paved with artificial stone pavement.

Car shelters and seats, lamp-posts and iron crestings about the grounds have been painted.

As to the care and general work on these grounds, Mr. Cogan, the chief gardener, reports that they were improved by grading the unfinished part of the lawn southwest of and adjoining the terrace wall. The top soil was removed, and the surplus earth to an average depth of 3 feet carted away, the top soil being replaced as the work progressed. The ground was then fertilized with bone dust and slaked lime and sowed with lawn-grass seed. As the season was late when the seed was sown, a little rye seed was added to protect the young grass during the winter. The result was very satisfactory.

One hundred and twenty linear feet of walk, 16 feet wide, used as a temporary roadway to and from the west front of the building, was excavated to a depth of 2 feet, the walk graded, the edging adjusted and relaid where necessary.

The trees and shrubs are all in fine, healthy condition. The growth during the season has been remarkable. During the winter considerable undergrowth was removed by pruning and thinning out, thus giving the permanent trees and shrubs more room.

Two tons of slaked lime to the acre were distributed over the lawns in early spring, and 3 tons of agricultural plaster over the lawns north and northwest of the building. One hundred and twenty cubic yards

of well-rotted manure has been prepared and is now ready for distribution as top dressing during the next winter.

The drives and walks have been kept in good condition, and repairs made on the unpaved drives when necessary.

I take the liberty of renewing the following recommendation:

These grounds are now a much-used thoroughfare and are so densely shaded by large trees and clumps of shrubbery that the safety of persons passing through them at night requires that they should be patrolled by watchmen the entire night. To this end it seems imperatively necessary that an increase in the force of watchmen of the Capitol Grounds should be made.

UNITED STATES BOTANIC GARDEN.

During the last fiscal year the following improvements and repairs have been made at the United States Botanic Garden:

All of the heating apparatus has been overhauled and thoroughly repaired, and new boilers have been placed in the west end of the main conservatory and in the orchid house, and the piping so extended as to increase the heating capacity. The heating apparatus has been extended to the superintendent's lodge, which has been supplied with the necessary piping and radiators. The iron fence surrounding the garden has been thoroughly scraped and given two coats of paint, and a gateway has been opened on the Pennsylvania avenue side. The various plant and propagating houses, including those at the south side of Maryland avenue, have been painted, repairs made to the staging, glazing, and sash bars. New partitions and propagating benches have been placed in the rose house, and a number of sash and the inner doors of the main conservatory replaced with new ones. The roofing of the work sheds and stables have been repaired and painted, and new tin roofing placed on the office building and superintendent's lodge. The iron posts and shades provided for in the sundry civil bill approved August 18, 1894, have been procured and put in place.

THE COURT-HOUSE.

The interior of the building has been kept in good condition and sundry improvements and repairs have been made to the same, the principal one being fitting up a room in the upper story of the east end of the old building for a men's toilet. This was done at the request of the chief justice for the accommodation of jurors and the many persons employed in this story.

PENSION OFFICE BUILDING.

As requested by your Department, I have furnished plans and specifications and superintended the work of putting on a new roof of copper, sheet metal ceiling in the great hall, and marbleizing the large columns. In connection with this work, I have certified vouchers to the amount of $20,753.87.

At the request of the Chief of the Bureau of Education there have been prepared at this office plans and specifications for schoolhouses and teachers' quarters in Alaska.

STATEMENT OF EXPENDITURES.

Annual repairs, United States Capitol.

Pay rolls, mechanics, laborers, etc	$18,977.59
Labor not on rolls, paid by voucher	302.23
Machinery, iron and metal work	89.72
Brushes, sponges, chamois, soap, and brooms	428.51
Hauling and expressage	15.17
Hardware	245.95
Lumber and millwork	832.78
Steam fitting and plumbing	1,097.26
Lime, cement, sand, and brick	62.90
Forage and harness	135.00
Paints, oils, glass, etc	866.69
Tin and copper work	1,078.57
Granite and marble work, tile and tiling	234.63
Care and repair of clocks	100.00
Silver and nickel plating	114.00
Grates and grate bars	85.00
Drafting material, books, and stationery	94.29
Fuel	7.00
Plastering	7.00
Wire screens	115.10
Telephones and wiring, from Capitol to shops	58.00
Electric call bells and wiring	52.61
Total	25,000.00
Appropriated August 18, 1894	25,000.00

RECONSTRUCTION OF ELEVATORS, HOUSE WING.

Pay rolls, mechanics, laborers, etc	2,095.15
Labor not on rolls, paid by voucher	113.00
Reconstruction of elevators (S. Norris Craven & Co.)	2,000.00
Machinery, iron and metal work	309.98
Hauling and expressage	3.18
Hardware	36.98
Lumber and millwork	87.40
Lime, cement, sand, and brick	231.67
Tin and copper work	2.50
Stonework, subbasement passage	13.54
Fuel	3.50
Sheet-metal ceiling	53.00
Steam-pipe covering	58.15
Ventilating fan and motor	91.57
Miscellaneous	.38
Total	5,100.00
Appropriated August 18, 1894	5,100.00

ELEVATOR, SUPREME COURT.

Pay rolls, mechanics, laborers, etc	523.26
Labor not on rolls, paid by voucher	14.20
Hydraulic elevator (S. Norris Craven & Co.)	1,500.00
Hauling and expressage	2.45
Hardware	19.08
Lumber and millwork	20.60
Steam fitting and plumbing	62.90
Lime, cement, sand, and brick	23.50
Tin and copper work	14.25
Stone for foundations and sills	24.44
Advertising	13.73
Steam-pipe covering	53.59
Electric call bell and wiring	22.50
Miscellaneous	5.50
Total	2,300.00
Appropriated August 18, 1894	2,300.00

REPAIRS TO STEAM HEATING APPARATUS AND MACHINERY, SENATE WING.

Pay rolls, mechanics, laborers, etc	$571.46
Labor not on rolls, paid by voucher	274.00
Machinery, iron and metal work	496.21
Hauling and expressage	58.45
Hardware	76.50
Steam fitting and plumbing	510.60
Lime, cement, sand, and red brick	150.50
Fire brick	165.00
Tin and copper work	16.00
Grate bars	256.28
Total	2,575.00
Appropriated August 18, 1894	2,575.00

REMOVAL OF COOKING APPARATUS, SENATE KITCHEN.

Pay rolls, mechanics, laborers, etc	107.00
Labor not on rolls, paid by voucher	2.25
Steam fitting and plumbing	295.01
Lime, cement, sand, and brick	5.75
Tile and tiling	268.42
New refrigerator for kitchen	425.60
Removal of cooking ranges	216.00
Tin and metal work	35.50
Canvas ventilator covers	2.50
Miscellaneous	142.57
Total	1,500.00
Appropriated August 18, 1894	1,500.00

CAPITOL TERRACES.

Pay rolls, mechanics, laborers, etc	760.44
Labor not on rolls, paid by voucher	153.50
Repairing hydraulic lifts	32.05
Paints and oils	191.80
Miscellaneous	219.56
Total	1,357.35
Available July 1, 1894	1,357.35

CAPITOL GROUNDS.

Pay rolls, mechanics, gardeners, laborers, etc		11,963.84
Labor not on rolls, paid by voucher		146.00
Artificial stone pavement		2,232.97
Plants, seeds, and fertilizer		296.77
Sodding		17.19
Tools and agricultural implements		99.01
Brooms and sweeping brushes		66.30
Moving shelter house, Washington statue		70.00
Fuel for shops and conservatory		87.40
Lumber		4.22
Plumbing material		16.25
Total		15,000.00
Appropriated August 18, 1894	$12,000	
Appropriated March 2, 1895	3,000	
		15,000.00

LIGHTING CAPITOL GROUNDS AND BOTANIC GARDEN.

Gas service from July, 1894, to February, 1895, both inclusive		$16,168.01
Pay rolls, lamplighters, gas fitters, etc		2,823.74
Chandeliers, lamps, and other material		1,075.57
Pay of attendance to electric-light plants		2,939.13
Rental of electric-light plants		993.55
Total		24,000.00
Appropriated August 18, 1894		24,000.00
Gas service for months of May and June, 1893		2,989.50
Gas service from February, 1894, to June, 1894, both inclusive		11,578.75
Total		14,568.25
Balance on hand June 30, 1894	$696.01	
Appropriated August 23, 1894	13,872.24	
		14,568.25

ELECTRIC-LIGHT PLANT, SENATE.

For lamps, shades, chandeliers, fixtures, and material for electric lighting	427.42
For electrical testing instruments	114.10
Balance unexpended	8,217.57
Total	8,759.09
Available July 1, 1894	8,759.09

Very respectfully,

EDWARD CLARK,
Architect United States Capitol.

The house is open to bathers at 6 o'clock in the morning, and bathing is continued until 12 o'clock, when the bathing rooms are opened to admit fresh air and to replenish the pools. At 12.30 o'clock bathing is resumed and continues until 6 o'clock p. m., when the house is closed, the pools emptied, and the entire premises thoroughly cleaned, scrubbed, and disinfected.

The demand of strangers to be shown through the bath house has grown to such an extent and has been found so objectionable to bathers that it has been deemed expedient to suspend bathing during one afternoon of each week to allow strangers and visitors to look through and inspect the house. Wednesday from 2 to 6 o'clock has been set apart for this purpose.

The demand for free baths continues unabated, and it is a matter of fine discrimination to be able to determine who are actually indigent persons and who are not. The law under which this house was erected and is maintained and the instructions from the Department permit it to be used only by the indigent poor; hence to be entitled to bathe at the free bath house one must be an indigent person within the meaning of the law. The word indigent, disassociated from the word pauper, being defined, means a person in destitute circumstances—one without means of comfortable subsistence.

No admissions are made to the free bath house except by written applications, upon which tickets are issued if the person applying seems, from the answers made, to be an indigent person.

Table showing average number of bathers, daily, each month from June 30, 1894, to June 30, 1895.

Month.	Daily average.				Average number of bathers per day for entire month.
	White males.	White females.	Colored males.	Colored females.	
1894.					
July	177	41	120	134	472
August	206	46	124	92	468
September	225	34	108	82	449
October	231	33	130	62	456
November	210	22	59	28	319
December	293	21	101	22	437
1895.					
January	299	12	104	16	431
February	269	14	90	10	383
March	260	26	106	37	429
April	252	39	123	63	477
May	256	36	101	41	434
June	225	29	72	32	358
Average per day for year	242	29	103	52	426

The entire number of baths given during fiscal year 1894–95 is estimated at 155,500.

In my report for 1894 I stated that of the whole number of people using the baths at the free bath house, 75 per cent were cured. Another year's observation of the effects of the baths on the indigent people using them confirms me in the opinion then given, and if the rate were reckoned from the class of persons using the baths for rheumatism, syphilis, and blood diseases, I feel sure that the percentage would be even higher. When it is considered that the persons using the baths at the free bath house are indigent, without the means of procuring medical advice or

No. 2.—GOVERNMENT BATH HOUSE—FRONT VIEW FROM CENTRAL AVENUE.

No. 3.—LOOKING SOUTH FROM MAIN ENTRANCE GOVERNMENT RESERVATION.

medicines, except such as may be given to them as a matter of charity, it would seem to conclusively prove the value of the hot waters in the treatment of the diseases for which they are recommended.

Upon this subject I am, by the courtesy of the Surgeon-General of the Army, permitted to quote from the last report of Col. A. A. Woodhull, surgeon in charge of the Army and Navy General Hospital at this place, in which he says:

Of the 51 completed cases of transferred men, 42 were returned to duty, 5 were discharged for disability, 2 were discharged by order without honor, and 2 were transferred sick (1 to the Government Hospital for the Insane, and 1, with chronic empyema of traumatic origin, to Fort Bliss). Thirty three were in the hospital June 30, all but 6 of whom had been admitted in May and June. Those returned to duty made 82 per cent of the completed cases. Inquiry made concerning 51 enlisted men returned to duty in the calendar year 1894, six months after they were sent from the hospital, gave 40 on duty or had been well when they had been discharged at their own request, 9 had been discharged for disability, and 2 were not reported.

BATH HOUSES.

The bath-house-rate war, which was terminated by the approval of the rates effective after December 1, 1894, has been, perhaps, the cause of fewer improvements being made during the year in the bath houses now in operation than would have been the case under other conditions. However, all are kept in neat and cleanly condition, and seem to be giving satisfaction to the public, both as to the class of accommodations furnished and the prices charged for baths.

The new Rector bath house, erected off the permanent reservation under authority of a lease to ex-Governor Henry M. Rector, has been completed, and was opened to the public June 17, 1895. It is one of the handsomest in architectural design of any of the group of handsome bath houses which have been erected in the past few years. The Rector is in plan an irregular square, containing in the first story offices, separate parlors for ladies and gentlemen, bath rooms, and cooling rooms. The gentlemen's bathing department consists of eight tubs, and the ladies of four tubs, all with connecting vapor stalls. The second story, connecting with the Waukesha Hotel, contains a large sitting hall, and a gymnasium and reading rooms. The building is of brick, founded on rock, the exterior walls faced with red pressed brick, and trimmed with rock-faced Lake Superior red sandstone. The roof is of slate.

The offices and bathing departments have highly finished mosaic floors and light marble partitions, while the ceilings are finished in richly embossed sheet steel, with suitable decorations. The furnishings are first-class, and in keeping with the handsome inside finish throughout the building. The Rector is in all respects a first-class bath house, and is a substantial addition to the group of fine bath houses lately erected in Hot Springs.

This brings the number of bath houses now being supplied with hot water from the Hot Springs Reservation to 21, and the number of tubs to 507. Allowing that 15 persons can be bathed in each tub each day, the bath houses have capacity sufficient to bathe 7,600 persons daily.

intended to be covered by these fees are the furnishing of a clean bath in a clean room and tub at the desired temperature and drying off the bather after the bath. If other services than these are desired, personal arrangement may be made with the manager of the bath house or with the attendant.

CARE AND CULTIVATION OF THE GROUNDS.

The unusually hard winter and the excessively wet spring and early summer combined to make the successful cultivation of the grounds a difficult matter. The grounds as a rule are very steep, being on the side of the mountain, and without sufficient drainage. Efforts have been directed mainly to getting the grounds well set in grass, to cultivating the shrubbery already set out, and planting such flowers, vines, and other shrubbery as could be procured for this purpose. On a large portion of the grounds we have been successful in getting a good start of grass, which will hereafter materially lessen the damage from washing, thus allowing us to add another large portion of the grounds, already smooth enough to allow the use of the lawn mowers, by the use of which alone, it seems, we can establish a turf sufficiently strong to withstand the heavy rains and washings.

A system of water pipes has been laid, having sufficient capacity to sprinkle and irrigate the grounds now under cultivation, and it was so constructed that additions to it may be conveniently made as necessity requires.

THE ROADS AND DRIVES.

The heavy rains have been very damaging to the roads and drives, and have made their care and maintenance much more troublesome than would have been the case under other conditions.

I have added about 2 miles more road to that on Hot Springs Mountain by opening and improving the old road to and around the top of the mountain sufficiently to make it an excellent road for horseback riding. There are yet two loops to be put in, to relieve some steep grades, and the road widened and graveled. When this is done it will complete the system of roads and drives on the Hot Springs Mountain as far as laid out, and will make an excellent drive about 3½ miles in length. I consider the completion of this drive the most important of any of the improvements yet undertaken.

Estimates for this work are submitted under head of recommendations.

THE DRINKING FOUNTAINS.

The four drinking fountains contracted for by Capt. Robert R. Stevens have not yet been completed and do not appear to be much advanced from what they were several months ago. I am informed by Captain Stevens that the contract for the completion of these fountains, after once being extended, has again expired. It does not appear that the contractor is making proper effort to complete the work, and I know of no reason why it should be allowed to drag along.

THE IMPOUNDING RESERVOIR.

The reservoir continues in a state of good repair and still receives and discharges approximately 345,000 gallons of hot water daily, which, as stated in my report for last year, represents the available hot water after supplying the leases heretofore granted.

THE PUMPING STATION.

Some repairs have been made on the building during the year under authority of Department letter dated March 5, 1895, report of which was made during the current quarter.

The pumping machinery is receiving the care necessary to preserve it from rust and neglect, which, because of its present state of inactivity, is about all that can be done for it.

A thorough inspection of this machinery, made lately by direction of the Department, shows that repairs and additions necessary to put it in condition to operate would cost (closely estimated) $400, the items of which were furnished under date of May 17, 1895.

THE HOT SPRINGS CREEK ARCH.

In my report for 1894 attention was called to the condition of this arch. Outwardly there is no sign of weakness, but it is a fact nevertheless that where the walls of the arch are not founded on solid rock the swift current of water which passes through it during and after heavy rains is gradually undermining, the breaches mentioned in my last report are becoming larger, and the danger of a collapse more apparent. Incalculable damage would result from a collapse of this arch in time of heavy rains. The result could not be otherwise than to flood the entire business portion of the city.

An estimate of the amount which would be required to repair the arch is extremely difficult to make, for the reason that the heat from the hot springs rising inside of it and the flow of hot water from other springs and the bath houses into it make it too hot to admit of a person remaining inside more than twenty minutes at a time, the means of ingress and egress being through the manholes at intervals of 200 to 300 feet along the top of the arch.

THE HOT SPRINGS.

The following table, continued from last report, shows the elevation and temperature of each of the 73 hot springs, only 3 of which are now open, the others having been secured and the water piped away to supply some of the bath houses or reservoirs:

Table of springs upon the Hot Springs Mountain Reservation.

No.	Temperature.	Elevation.	Character.	No.	Temperature.	Elevation.	Character.
	Degrees.	*Feet.*			*Degrees.*	*Feet.*	
1	77	91.4	Constant flow.[1]	15	134	84.7	Constant flow.
2	76	98.7	Do.	16	101	135.8	Do.
3	124	98	Do.	17	.....	140	Scapagao.
4	124	98.3	Do.	18	93	158	Constant flow.
5	80	115.6	Do.	19	84	159.3	Do.
6	103	171.6	Do.	20	83	162.8	Do.
7	115	172.2	Do.	21	106	107	Do.
8	121.5	117.5	Do.	22	122	118.2	Do.
9	122	179.6	Do.	23	125	123.8	Do.
10	121.5	181.2	Do.	24	113	127.7	Do.
11	105	120	Do.	25	111	127.7	Do.
12	111	117.5	Do.	26	106	127.9	Do.
13	135.5	85.2	Do.	27	127.5	130.3	Do.
14	137	84.3	Do.	28	145	129.4	Do.

[1] Datum of levels: The lowest point on the Hot Springs Reservation, being on the east side where the Hot Springs Railroad enters the same, approximates 500 feet above the tide water of the Gulf.

Table of springs upon the Hot Springs Mountain Reservation—Continued.

No.	Temperature.	Elevation.	Character.	No.	Temperature	Elevation.	Character.
	Degrees.	*Feet.*			*Degrees.*	*Feet.*	
29	90	140.4	Constant flow.	52	142	178.3	Constant flow.
30	134.5	148.3	Do.	53	145.5	186.1	Do.
31	147	133.2	Do.	54	146	186.1	Do.
32	124	95.7	Do.	55	122	92.7	Do.
33	140	89.8	Do.	56	133	95.3	Do.
34	120	91.8	Do.	57	128	100.2	Do.
35	135	91.8	Do.	58	.....	101.9	Do.[2]
36	110	90.4	Do.	59	133	102	Do.
37	120	155.5	Do.	60	134.5	112.9	Do.
38	128	90.2	Do.	61	133	186.1	Do.
39	125.5	92.2	Do.	62	109	186.3	Do.
40	112	92.3	Do.	63	83	186.2	Do.
41	157	113.5	Do.	64	135	186.6	Do.
42	.....	110.2	Do.[1]	65	141	186.1	Do.
43	144	164.4	Do.	66	87	185.3	Do.
44	.....	162.8	Do.[1]	67	.....	113	Intermittent.[4]
45	111	171.8	Do.	68	131	85	Constant flow.
46	.....	109.8	Do.[2]	69	83	89.7	Do.
47	144.5	176.5	Do.	70	89	89.4	Do.
48	91	178.9	Do.	71	94	89.3	Do.
49	131	176.1	Do.	72	132	.....	Do.
50	145	179.6	Do.	73	122	.....	Do.
51	144	182.8	Do.				

[1] Under big iron bath house.
[2] Under bath house on hill.
[3] Inaccessible; near Arsenic Spring.
[4] In Arlington yard; flows after heavy rain; 134°.

A COLD SPRING.

During the progress of the improvements this year an excellent cold spring has been developed about two hundred feet east of the Superintendent's office, and near Fountain street. The waters have been secured and made available for drinking purposes and are quite extensively used by many persons, who claim that they possess some valuable medicinal qualities. The following is the result of an analysis of the waters of this spring recently made by Dr. J. H. Leslie, who recommends their use for stomach, liver, and kidney troubles:

Sulphate of magnesia	grains per gallon	24
Lithate of lime	do	3¼
Chloride of potash	do	1¼
Sulphate of soda	do	2
Bicarbonate of iron		Trace.

The spring flows 960 gallons in twenty-four hours, at a temperature of 66° F.

THE CITY OF HOT SPRINGS.

Hot Springs, which was originally a part of the Hot Springs Reservation tract, is situated among the foothills of the Ozark Mountains, at an elevation of 600 feet above the Gulf of Mexico, in latitude 34° 31′ north and longitude 92° 39′ west, in Garland County, Ark., and has a resident population of 14,000.

It is a well and neatly built city, having all the modern improvements—waterworks, gas, electric lights, public parks, walks, and drives, and an excellent system of street railroads, modern hotels, and bath houses, and about all else that goes to make up a city of the first class.

The average maximum and minimum temperature and rainfall for each month of the fiscal year ending June 30, 1895, as recorded by the

signal officer at the Army and Navy General Hospital, is given in the following table:

Month.	Maximum temperature.	Minimum temperature.	Rainfall.
1894.			*Inches.*
July	93.74	64.32	4.03
August	91.22	65.12	3.65
September	86.33	60.93	2.4
October	80.90	47.35	1.9
November	67.36	36	1.5
December	58.70	29.80	3.2
1895.			
January	51.06	23.41	6.25
February	51.07	25.35	.7
March	66.12	42.32	5.82
April	77.3	51.16	2.23
May	80.70	59	7.20
June	88.4	67.53	5.3
General average	74.4	43.5	3.68
Average temperature	58.9		

HOTELS AND BOARDING HOUSES.

The accommodations offered by the hotels and boarding houses of Hot Springs are sufficiently varied to meet the requirements of all classes of persons.

RECEIPTS AND DISBURSEMENTS.

The receipts from water and ground rents have been somewhat augmented this year, and will show a larger increase for next. In two cases the lessees were not ready to use the water until almost the end of the fiscal year.

It is probable that two other lessees will be ready to use water during the coming fiscal year, in which case the Government's revenue from Hot Springs will be about $19,000 annually.

The following table will show the receipts and disbursements for the fiscal year ending June 30, 1895:

Receipts.

Bath house.	Tubs.	Amount.	Bath house.	Tubs.	Amount.
Alhambra	40	$1,200	Waverly	20	$600
Arlington	40	1,200	Rammelsberg	18	540
Eastman	40	1,200	Hot Springs	16	480
Lamar	40	1,200	Superior	16	480
Park	40	1,200	St. Joseph's Infirmary	4	120
Horseshoe	30	900	Sumpter	4	120
Magnesia	30	900	Rector, from June 17 to June 30	12	15
Hale	26	780			
Imperial	25	750			14,865
Palace	23	690	Arlington Hotel, ground rent		2,500
Ozark	22	660	New York Hotel Company, extra water		30
Maurice	21	630			
Avenue	20	600			
Rockafellow	20	600	Total receipts		17,395

Disbursements.

Salaries per annum:		
Superintendent	$2,500.00	
Manager of free bath house	1,020.00	
Male attendant at free bath house	660.00	
Female attendant at free bath house	360.25	
Scavenger at free bath house	120.00	
Watchman at pumping station	600.00	
Night policeman on reservation	600.00	
Day policeman on reservation	480.00	
Waterman on reservation	480.00	
Messenger at Superintendent's office	180.00	
		$7,000.25
Salary of three foresters and gardeners, $40 per month, earned	1,326.00	
Salary of five foresters and gardeners, $1.50 per day, from December 1, 1894, earned	1,274.25	
		2,600.25
Total disbursed on account of salaries		9,600.50
Disbursed on account of—		
Repairs and improvements at free bath house		45.00
Repairs and improvements at office and residence building		6.90
Repairs and improvements at pumping station		55.60
Repairs and improvements at old office building		76.95
Repairs and improvements at upper reservoir		81.25
Construction of stable		78.00
Construction of propagating pit		62.46
Purchase of plumbing, blacksmithing, carpentry, and other tools for use on the reservation		251.45
Purchase of horse, cart, and harness		139.50
Purchase of mule after death of horse		85.00
Fuel, lights, and water		510.39
Incidental expenses		463.01
Total		11,456.01
Total receipts from June 30, 1894, to June 30, 1895		17,395.00
Total disbursements from June 30, 1894, to June 30, 1895		11,456.01
Balance		5,938.99

RECOMMENDATIONS.

I respectfully recommend that a sale of the balance of the unsold Government lots be ordered to take place not later than March 15, 1896, and that the proceeds of said sale be allotted as soon thereafter as practicable for the continuance of the improvements upon the lines laid out by Capt. Robert R. Stevens, U. S. A., the engineer lately in charge.

I also respectfully recommend that the sum of $7,937 be allotted for the following items of finishing work and additional improvements:

270 feet limestone coping, 4 inches thick and 18 inches wide, for walls at main entrance	$195.00
Concrete work for additional landings on main front and incidental drainage	116.00
Concreting and stone work around fountain at north end of reservation	125.00
Concreting for landings of stairway of main entrance, 1,000 sq. ft., at 20c. per sq. ft	200.00
Six bronze vases for exedræ at main entrance	172.00
Rustic iron seats for exedræ	100.00
Stone stairway to hot spring near hospital gate and pipe archway	100.00
Stone-paved crossing at main entrance	180.00
Stone pavilion above central entrance to reservation front (plans submitted by engineer)	2,250.00
Coping heavy walls of bridges, extra width	425.00
Regrading and graveling old road to and around top of Hot Springs Mountain	1,500.00
Four park lamps (design furnished)	200.00
Concreting sidewalk on Fountain street from Central avenue to grounds of Superintendent's office and residence building	675.00
1,730 feet pipe covering for fountain hot-water pipes	450.00
Iron railing on stone steps at Rix & Barnes's bath house (Imperial)	150.00
Improvement of Old Hale spring	75.00
Improvement of hot spring near free bath house	50.00

Repairs and supplies at office building:		
Two filing cabinets, arranging and binding reservation maps.	$100.00	
Mending plastering and roof	60.00	
Repairs to furnace and plumbing	75.00	
		$235.00
Repairs and supplies at free bath house:		
One office desk and chair	35.00	
One office clock	15.00	
Repairs on furnace, plumbing, and roof	40.00	
		90.00
Repairs and additions at propagating pit:		
Material and sash to make the pit 10 feet longer	20.00	
Brick furnace and pipe	65.00	
925 gallons stoneware flowerpots	65.00	
		150.00
Pressed brick sidewalk from main walk to free bath house, 95 yards, at $1		95.00
Repairing cement walk, 200 feet, at 20c		40.00
Ten additional stone steps at main entrance		50.00
One additional stone step at free bath house		9.00
Additional drainage:		
75 feet 18-inch tile	$30.00	
50 feet 15-inch tile	15.50	
100 feet 12-inch tile	20.00	
100 feet 10-inch tile	15.00	
100 feet 8-inch tile	10.00	
100 feet 6-inch tile	6.00	
100 feet 4-inch tile	3.50	
		100.00
Stone monuments to permanently locate topographical work on Hot Springs, West and North Mountains (set in place)		200.00
Three hundred feet ¾-inch rubber hose for sprinkling and irrigating		45.00
Total		7,937.00

Much interest is manifested by visitors in the reservation improvements, which have now progressed far enough to show what they will be when completed; and it has been a matter of much gratification to the Superintendent to hear their expressions of pleasure at seeing the Government take the interest in Hot Springs which it is taking, and their hope that this interest will continue until every citizen of the United States will know Hot Springs as our standard national health resort, and will point to it as a matter of national pride.

I have the honor to be, very respectfully, your obedient servant,

WM. J. LITTLE,
Superintendent.

The SECRETARY OF THE INTERIOR,
Washington, D. C.

REPORT

OF THE

OFFICER IN CHARGE OF THE HOT SPRINGS RESERVATION IMPROVEMENTS.

FORT YELLOWSTONE, WYO., *September 15, 1895.*

SIR: I have the honor to render the subjoined report of the improvement service of the Government Reservation at Hot Springs, Ark., for the fiscal year of 1895, including report of operations under my charge and statement of funds and disbursements pertaining thereto, with matters relating to the further prosecution of the work under the plans approved by the Secretary of the Interior.

The system adopted for the development of the Government interests in Hot Springs as a health resort and permanent reservation has been set forth in the reports of the two preceding years.

The report of 1893 presented the record of preliminary operations and defined the general character and scope of the improvements designed; the second annual report extended upon the first and entered into the purpose and character of individual improvements, both performed and required.

Estimates for permanent reference as to details of construction under each item and reduced maps outlining the improvement plan were also included in the first report.

After thorough revision of the improvement scheme, as submitted and approved, there seems no reason to suggest any modification of the general lines or character of the work. In the present report I have, therefore, mainly, to confirm matters previously presented, and add such details as arise from later developments in the reservation service.

WORK PERFORMED.

My connection with the Hot Springs improvements during the past year has been limited to the completion of details especially relating to that portion of the plans which had been assigned for execution under my administration, and to such conference upon the work as was necessary in its transfer to the direction of the reservation superintendent.

Under this transfer Superintendent Little assumed charge of the reservation grounds and landscape work, and exercised the necessary personal supervision over the construction which remained under my general direction.

The work performed accorded, in the main, with the descriptive plan and estimates in the preceding reports. It included the completion of

the improvements under the original allotment of $75,000, and the execution of other items closely connected with that work, but provided for by a finishing allotment of $1,400. These two divisions of the work comprised together the construction of five drinking fountains referred to in my report of the past year, and of cut-stone work, concrete pavements, and masonry on the reservation front and at the main entrance. There was also included some planting of trees and shrubs on the mountain-side lawns.

Fountains.—The large number of fountains required, altogether, in the improvement plan renders the fountain construction a typical and important part of the entire work. Especial study has therefore been given to the nature of the designs selected.

The usual conception of a fountain design, finding convenient ornamental effect in water display, was not admissible on this work, the value of the accessible water supply, aside from its tendency to form a deposit, precluding its use for such a purpose. The plans submitted were, therefore, limited to stone drinking fountains, reviving somewhat the details of old architectural designs. The stone carving was carefully performed in Italian marble, and the discharge jets are pieces of sculpture in bronze, modeled and finished by established artists.

The bronze work of the triangular and exedra fountains, consisting of lion's head figures in relief, were modeled and executed by H. A. McNeil; that of the main fountain, composed of two eagles, with standards, shields, and other details, forming a national design, is by Edward Kemeys.

Both stone and bronze work for the fountains are finished and ready for the erection of the compositions on the site.

To more effectively complete the series of fountains and supply one needed on the North street front of Hot Springs Mountain the introduction of an additional design, regarded as of special merit, and some changes in the disposition of the fountains are proposed.

The new design selected is of a massive circular fountain for the north end of the main front, matching in general composition of stone and bronze work the design for the south end.

The finishing construction of the main front would then show two massive fountains at the extremities as flanking compositions for the lighter fountains and stonework of the main entrance in the center.

The triangular fountain, displaced by the larger design, would also be available for use on the North street front of Hot Springs Mountain. This fountain, while effective in plan and handsomely executed, is deemed too light for an end composition on the main front. It is, however, especially adapted in design for the location on Fountain street.

The proposed source of supply for this fountain is a cold-water spring recently discovered and brought into use through the special attention of Superintendent Little. The new spring is recognized as among the valuable cold-water springs of the valley, and the construction suggested would be doubly beneficial in adding its waters to the public supply in the park.

It is becoming more generally established that the curative resources of the mineral water tract of Arkansas are not confined to its mountain of hot-water springs. Cold springs hardly less remarkable in their medicinal properties are found in a belt for miles around through the valleys and mountains of the Ozark Range.

General construction.—Concrete work performed comprised the pavement of the exedras and car landings on each side of the main front entrance, and of the sidewalks along the drive leading back to the stairways.

Masonry work included the construction of parapet walls along the principal drive, northward from the Government bath house; the completion of the walls of the stairways at the main entrance, and various minor items. In this work also a small spring located at a comparatively high elevation, and formerly known as the geyser spring, was cleared out and arched.

In the cut-stone work, the exedras on the front were completed, and coping was laid on the walls of the principal stairway. The chief work under this division was a cut-stone stairway and balustrade inclosing a wall fountain and fronting the main entrance. This completed the lower portion of the succession of stairways leading from this front to the terrace and drive at the level of the War Department grounds. To finish this entrance, the representative architectural work of the reservation, there is now required, mainly, the construction of the shelter or observatory pavilion as planned, and of some intermediate stone steps in the circular stairway below. Some enrichments in the form of vases and lamps are also required at the different landings.

The work generally, on the reservation has been well advanced during the year by the maintenance force under Superintendent Little. The organization of this force for permanent service on the reservation relieves the improvement fund of the drain previously made upon it for the care of grounds already improved. In providing for the proper maintenance and police of the parks this measure supplies, also, a convenient means for advancing the improvement work at a considerable saving on the figures of the original estimates.

FUTURE OPERATIONS.

The general plan of the Hot Springs work presents two main centers for improvement as finished parks—Hot Springs Mountain front, and the lake reserve in Whittington avenue valley.

The improvement of the lake or valley reserve as a water park was contemplated by the instructions of the Secretary of the Interior and by act of Congress several years since, but was deferred to give precedence to the work then in progress in the vicinity of the springs. This valley tract presents especial advantages for improvement. The resources of valley, woods, and clear-water lakes, contrasting with the mountains which overlook this ground on every side, afford the highest possibilities of landscape work.

The construction of two representative parks at opposite locations on the reservation, and in the city limits, as objective grounds at each end of the improvement plan will afford a finish and balance to the entire work hardly less effective than the diversity afforded between the parks themselves in their contrasting forms of landscape development.

The instructions of the Secretary of the Interior as to prosecution of the improvements with reference to the most general and complete results in the work as it progresses require, first, the development of the two main parks, and then the opening of the lines of access from them through the reservation. The chief items which should compose the work for earliest execution are, therefore, in order about as follows:

Hot Springs Mountain, improvement to extent outlined in recommendations and special estimate	$12,000
Lake reserve, improvement as a water park	25,000
North Mountain, drive connecting Park avenue with Hot Springs Mountain drive	13,000
West Mountain drive, connecting Prospect with Whittington avenue and lake reserve	15,000

After the completion of these foundation lines, there should be added in each division of the grounds, the details of park improvement and architectural features required in the plans, reference being had to the detailed estimates, report of 1893. These estimates were prepared especially to provide for a progressive method of execution in the work, and are adapted in their degree of detail to either partial or complete performance of any item specified.

The outlines of the mountain roads have been incorporated in the city map of Hot Springs recently prepared by Engineer Mitchell. It is of some advantage to have such an additional record of these proposed avenues of travel.

As to the general construction of roads, I would recommend strict adherence to the system of grades established. This I deem specially important in view of the frequent tendency in construction to steepen grades for the sake of shortening distances, thus detracting seriously from the advantages of a road as a drive.

It is recommended that, as a detail of the improvements, all brick masonry in the park, including that of the upper reservoir, be masked with stonework. This plan has, with the exception of the hill spring, been followed in the case of all the springs arched over under my direction. White novaculite stone for masking the brickwork of that spring also, was, in connection with my transfer, provided and left on the site.

In the wooded grounds of the mountain, considerable opening of vistas by thinning of timber will be needed. At some points the cutting of trees several years since, evidently for that end, has left the effect rather of lanes through the woods. Judicious thinning of bordering timber will be required in these cases, also, to restore natural effects.

I would recommend, in the future work, continuance of the system which has been followed as to the maintenance of a close accountability between advance estimates and the actual work as it progresses. This contemplates revision of the estimates when necessary to adapt them to variations in cost of labor and material, and the incorporation of additional items as required.

RECOMMENDATIONS AND INCIDENTAL MATTERS.

The general order of the work for future execution is indicated above. The following schedule of items required in the improvement plan for Hot Springs Mountain is submitted in order as recommended for execution:

First. Completion of the plan of the main front of the reservation, by the erection of the new fountain previously referred to and the construction of a stone balustrade at the curve of the walk and along the car landing at the fountain site. A number of the cut-stone balusters required for this work have been transferred to the superintendent of the reservation.

Also, the erection on Fountain street of the triangular fountain, and the incidental construction of the pipe-connection for the cold-water spring on the mountain side.

Plans and specifications for the proposed fountain have been transmitted to your office, and the work could be completed by the full opening of the winter season. A balance estimated as sufficient to cover the cost of its stonework was set aside and remains from the special allotment of the past year for the work on the main front.

Second. The erection of a stone shelter pavilion to complete the composition of the stairways at the main entrance. This was especially recommended in the report of the previous year. In the original plan for this structure it was to be placed within the masonry square between the two upper flights of stairs. In the later development of the plan, the building was enlarged to rest on the walls themselves, and a stone projecting balcony was added to the front. This form of construction will necessitate the strengthening of the inclosing walls of the square, with massive bonded piers to support the heavy weight of the superstructure and counterpoise the weight of the balcony. Also the construction of seven additional steps on each side to connect the stairways in the center.

Third. Completion of the stonework generally, with coping and, facing to protect valuable masonry in place. This includes especially the coping of walls northward from the Government bath house and along the main drive, and of heavy walls of bridges on the mountain side.

Fourth. Completion of the architectural features of the main front by the addition of appropriate enrichments called for in the plans and estimates.

Fifth. Completion of the Hot Springs Mountain drives, and the construction of an electric-light system at entrances and along the principal drives on the foreground of the same mountain.

Sixth. Provision of a water supply and distributing system for irrigating purposes on Hot Springs Mountain, and completion of the remaining items of the special estimate.

Seventh. Construction of a part of the additional drainage on Hot Springs Mountain, contemplated in Estimate A, leaving the remaining portion to be added with the final work on that mountain. The water discharge from the mountain summit is, on the side over the principal street, intercepted by a ditch passing around the mountain about halfway between base and summit, and discharging into Gulpha Creek. This open drain should, even after the provision of the additional drainage, be preserved for the protection of the front against overflow.

The recommendation as to reserving a site on the southwest corner of the reservation, for a post-office and general Government building, is respectfully renewed.

GENERAL PLANS.

The plans for the Hot Springs parks, while presenting extensive lines and massive features of improvement, at the same time involve innumerable details of isolated and independent construction, requiring no minor degree of attention in their execution.

Designs for a number of pavilions and fountains in the remaining work have been placed on file. A recent fountain design by Architect Gordon, of San Antonio, Tex., has been especially submitted for construction at a prominent location on West Mountain or on the lake reserve. A design has also been outlined by Sculptor Edward Kemeys which represents a massive fountain surmounted by sculptured figures. An amount to cover the erection of this fountain, especially, is entered in the estimates.

Plans for many features of the work are necessarily left to be prepared as required in the progress of the improvements; and in order to preclude a want of unity which might ultimately arise in this work from its composite method of execution, it has been deemed important to avoid limiting the reports in connection with the foundation work to a meager and technical degree of description.

Under the instructions of the Secretary of the Interior, all the data pertaining to the Hot Springs improvements has been transferred to the reservation superintendent. The gradual method of the transfer and the thorough conference over details of the work have supplied all the reference needed in its new administration. No more favorable time or condition could exist for the prosecution of the work with reference to the best interests of the improvement service than is now afforded under Superintendent Little's direction. I would recommend to earliest consideration measures for the active prosecution of this important public work upon the extended basis outlined under authority of the Secretary of the Interior, and I would further respectfully urge that the improvement fund derived from the reservation income be aided by appropriations from the general Government.

This report closes, under authority of the War and Interior Departments, my official connection with the service of the Hot Springs Reservation improvements.

Respectfully submitted,

ROBT. R. STEVENS,
Captain and Assistant Quartermaster, U. S. Army.

Hon. HOKE SMITH,
Secretary of the Interior.

LIST OF RECORDS SUPPLEMENTARY TO REPORT.

(1) Special estimate for Hot Springs Mountain.
(2) Estimate A, completing improvements at Hot Springs Mountain.
(3) Estimate for lake reserve.
(4) Estimate for North Mountain.
(5) Estimate for West Mountain.
(6) Estimate for creek arches.
(7) Account of allotment of funds.
(8) Account of expenditures.

SPECIAL ESTIMATE OF IMPROVEMENTS REQUIRED ON HOT SPRINGS MOUNTAIN.

Plumbing for fountains under construction	$60.00
Stonework for drinking fountain designed for north end of main front of reservation (special design, A)	400.00
Bronze discharge piece, conventional design in sculptured work for same fountain	600.00
Plumbing for same fountain	50.00
Stone balustrade and concrete work for end of promenade and car landing at same fountain (material partly supplied)	150.00
Erecting fountain (triangular design) on Fountain street and laying pipe from cold-water spring	50.00
Cut-stone pavilion, with balustrade and balcony above main entrance, to reservation front, as per plan submitted	2,550.00
Fourteen steps 6 feet by 12½ inches by 6 inches, for completing circular stairway above main entrance, 84 linear feet, at $1 per foot	84.00
Stone stairway to hot-water springs in foreground park, adjoining wall at north entrance to the War Department, 14 steps 5 by 7 by 10, 70 linear feet, at $1 per foot, laid in place, with wing wall on outer side	70.00
Concrete for landings and stairways at main entrance, 1,000 square feet, at 20 cents per square foot	200.00
Six bronze vases for exedras at main entrance	172.00
Six bronze vases at entrance stairways	172.00
Four park lamps (design furnished)	200.00
Stone-paved crossing at main entrance	176.40
Concrete work for additional landings on main front	100.00
Rustic iron seats for exedras	100.00
Drainage, additional, at War Department grounds	100.00

Cut-stone coping, 270 linear feet, 4 inches thick and 18 inches wide, for walls at main entrance	$195.00	
Coping heavy walls for bridges (extra width), Arkansas stone	425.00	
Water supply for irrigating purposes	400.00	
Electric-light system along main front of reservation	2,000.00	
Stone masonry to mask brick construction in park	150.00	
Regrading and surfacing old road on top of mountain	1,500.00	
Frame archway for protecting hot-water pipes in rear of bath houses	40.00	
Concrete pavement on sidewalk of Fountain street from Central avenue to grounds of superintendent's building	665.00	
One hundred cut-stone steps, 6 by 6 by 13, for stairway previously cut in formation rock at entrance above superintendent's grounds on Fountain street, 600 linear feet, at $1 per foot	600.00	
Contingencies	100.00	
Total		$11,309.40

ESTIMATE A.—PARK IMPROVEMENTS, ROADS, AND WALKS.

TABLE 1.—*Park division.*

Drainage	$7,440.00	
Pipe covering, 1,728 linear feet, for protection of hot-water pipes for fountain	450.00	
Fountain, Kemeys design	6,500.00	
Fountain 2, small design	1,000.00	
Completing roads and walks	6,043.85	
Paving drives and gutters	7,000.00	
Buildings (pavilion and lavatory), park seats	7,000.00	
Concrete pavements, widening walks on main front and paving sidewalks on Fountain street	5,500.00	
One casino building	30,000.00	
Parapet walls and cut stone along main front	11,800.00	
Engineer and landscape work	4,000.00	
Arching creek and grading Fountain street (as per estimate of 1893)	24,140.00	
Total (Table 1)		110,873.85

TABLE 2.—*Water-supply division.*

Pipe from cold-water spring for fountain supply, and erecting arches over hot springs	$2,000.00	
Two storage reservoirs for hot water	5,760.00	
Cooling tanks and lavatory building for bath houses	4,405.65	
Masonry tunnel for supply pipes along bath-house front	18,814.50	
Total (Table 2)		30,980.15

LAKE RESERVE.—IMPROVEMENT AS A WATER PARK.

Lake construction	$9,480.00	
Roads and walks	2,270.00	
Masonry (omitting entrance columns)	5,445.00	
Park, construction and planting of lawns and commons	8,125.00	
Buildings (shelter and lavatory)	11,500.00	
Fountains and water supply	2,000.00	
Remaining items (including entrance columns) as per details of original estimates, report of 1893 (Estimate D)	11,960.00	
Total (lake reserve improvement)		50,780.00

NORTH MOUNTAIN.—DRIVES, AND WALKS.

Roads and walks	$12,140.25	
Drainage	2,540.00	
Electric-light system	2,500.00	
Shelter and lavatory buildings and fountains	7,400.00	
Remaining items as per original estimate, report of 1893	2,350.00	
Total (North Mountain improvement)		26,930.25

WEST MOUNTAIN.—PARK IMPROVEMENTS, ROADS AND WALKS.

Roads and walks	$15,096.60	
Drainage system	5,960.00	
Remaining items, park construction, buildings, etc., as per original estimate, report of 1893	10,974.80	
Total (West Mountain improvement)		$131,031.40

CREEK ARCHES.

Arching creeks in park and Whittington avenue, as per original estimate, report of 1893		19,995.00
Total for completing improvements of Hot Springs Reservation		381,900.05

NOTE.—The foregoing estimates generally represent in somewhat consolidated form the outstanding estimates of the past year. The special estimate conforms in the main to special estimates (divisions 1 and 2), improvements report of 1894, omitting work performed from the special allotment of $1,400, and introducing the items of electric lights and additional fountain construction which were previously included in the amount of Estimate A. The cost of pavilion has been increased to correspond to enlarged plan. The cost of road construction has been reduced owing to work performed during the year by the maintenance force under the reservation superintendent. The item of pipe covering has been transferred to Estimate A.

STATEMENT OF FUNDS AND EXPENDITURES PERTAINING TO THE IMPROVEMENT SERVICE OF THE GOVERNMENT RESERVATION AT HOT SPRINGS, ARK., FISCAL YEAR 1894–95.

Statement of funds.

Original allotment, balance June 30, 1894	$6,962.19	
Special finishing allotment for reservation front	1,400.00	
Total		$8,362.19

Account of expenditures.

Concrete pavements in exedra of main entrance and in adjoining car landings and sidewalks	475.15	
Main entrance, masonry walls, coping, etc	4,358.06	
Exedra walls at main entrance	618.15	
Repairing implements, etc	45.99	
Park planting, trees and shrubs	51.17	
Drainage	21.25	
Fountains, stonework	1,300.00	
Fountains, bronze work	340.00	
Stone stairway fronting main entrance	600.00	
Office expenses, architect's and draftsmen's services	85.15	
Total expended		7,894.92
Balance (reserved for fountain plumbing and stonework of new fountain)		467.27

REPORT

OF THE

ACTING SUPERINTENDENT OF THE YELLOWSTONE NATIONAL PARK.

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SUPERINTENDENT
YELLOWSTONE NATIONAL PARK,
Mammoth Hot Springs, Wyo., July 25, 1895.

SIR: Complying with your request of the 1st instant, I submit a report of operations and events in the Yellowstone National Park during the last fiscal year.

Beginning my fifth annual report, I wish to make a résumé of the improvements in the Park since my arrival here in February, 1891.

The Yellowstone Park Association has added a hotel near the Fountain Geyser, which is the largest and best of their buildings. The log buildings which constituted their hotel at the Lower Basin have been removed. The old hotel at Norris was consumed by fire, and the lunch station at that place has, since the spring of 1892, been conducted under canvas. In November of last year the old hotel at the Upper Geyser Basin was destroyed by fire. It has been replaced by a temporary structure better adapted than was the old one for the purposes of a lunch station, but without the means of accommodating tourists over night.

The new transportation company, which succeeded the old one in the spring of 1892, has added somewhat to their plant, and at every station the company has improved its buildings.

The road system has been extended to make possible a tour from the lake to the Upper Basin without passing over any portion of the route a second time. At Mammoth Hot Springs a new post has been built to accommodate one troop of cavalry, with the necessary administrative buildings. Nearly a mile of board sidewalk has been laid connecting the principal buildings of the post with the hotel. In addition to this, many minor improvements have been made, which will find notice in subsequent parts of the report.

The prediction made in my last report of the complete failure of travel during the balance of the season was abundantly verified. Tours which may have been planned and arranged for before the railroad strike were probably abandoned before the strike was over, and the season continued to the end the poorest ever known in the history of the Park.

The past winter was exceedingly mild and there was but little snow fall. As a consequence, it was possible to make a complete tour of the Park at the opening of the season, June 1, a thing never before known.

All the hotels were on that date ready to receive and accommodate guests. From all sources came abundant promise of heavy travel, but for some reason this promise has failed of fulfillment. The record of tourists from 1890 to date will show how great is the falling off. The number during June of this year registering at the hotels for the complete tour is but 100 greater than last year, when travel was paralyzed by the financial depression, the washouts on the railroad, and the strikes which prevented the movement of trains.

Record of tourists, 1890–1895.

Month.	1890.	1891.	1892.	1893.	1894.	1895.
June	508	527	718	832	320	426
July	1,400	1,016	849	752	263	956
August	1,284	1,225	1,495	786	735	1,088
September	712	809	583	706	317	.....
Total	3,904	3,577	3,645	3,076	1,635	2,470

It is not easy to assign a reason for the diminished travel through the Park, where there are so many wonders and beauties to be seen and where so much is done for the accommodation and comfort of the traveler. It is certain that the volume of travel to Europe is constantly increasing, while that to the Park is barely holding its own, or even going backward. We are constantly informed by visitors that they had no idea of what there was to be seen here; how many attractions the Park trip presented, or how many superior accommodations were offered them. In Germany much of what the Park contains is taught in the public schools, while in this country but little is known of it, even to the educated and the well informed. I would again suggest that some means be adopted for bringing the mass of the people to realize what a store of wonders and beauties they have within their boundaries. It would be valuable to them as a part of an education, even if they should not be able to see the Park for themselves.

As will be seen by the table printed, there were 1,635 tourists who last year made the regular trip, stopping at the hotels. From my system of registry I estimate that there were 1,470 who went through in camping parties with their own or hired transportation for some kind of trip, either longer or shorter than the regular tour. These camping parties have commenced earlier than usual this year, and there is prospect of greatly increased travel in this way. The system of registry established last year has enabled me to keep better account of them and to watch them more closely, and the result has been that I have suffered less from the annoyances that I then complained of.

LEASES.

Under the law of last year new leases have been granted to the Yellowstone Park Association for the sites occupied by it at the Mammoth Hot Springs, at the Fountain, at the Lake, and at the Canyon, and the old leases held at these places were surrendered. Surveys were also made of sites at Norris, the Upper Basin, the Thumb, and at Tower Creek. I believe it is the intention of the association to ask for leases at these points as soon as business will warrant it in erecting structures there for the accommodation of travelers. The passage of this law has extended to 20 acres the limit which may be held under lease by any

corporation or individual, and has diminished to one-eighth of a mile the distance by which leased ground must be separated from any object of interest. As thus modified it is a great improvement on the old law, and surely at no distant time will be taken advantage of by the Yellowstone Park Association, or some other corporation willing and able to expend the necessary funds.

No action has yet been taken on my recommendation, several times repeated, that the Government acquire the two frame cottages owned by the Yellowstone Park Association at the Lower Basin. They are of absolutely no use to the association at the present time, and are much needed for the accommodation of troops that are camped near them every summer and probably will be so quartered for many seasons to come.

A lease for premises to be occupied as a store and post-office by Mrs. Ash has been authorized, and, I presume, will soon be issued. The plans for the building have been forwarded approved. The site is midway between the Mammoth Hotel and the Cottage. A store such as Mrs. Ash proposes to keep is quite a necessity here, as without it there is no place nearer than Gardiner where notions and small articles so necessary to travelers can be procured, and even there the stock is meager and not wholly adapted to the needs of tourists.

A lease has also been authorized for a plat of ground on which Mr. Ole A. Anderson proposes to erect a neat building in which to conduct the business of coating specimens. This will be situated midway between the Cottage Hotel and the building erected last year as a jail, and used also as a residence by the United States commissioner. For this latter building the Government appropriated $5,000. The contract was awarded late in July, and the building was finished in time for occupancy in the early autumn. It is a substantial, well-constructed, secure building and the only one in the Park built of stone. It is situated about 150 yards from the Liberty Cap and about the same distance from the old McCartney building, and at the base of the hill which skirts the Cottage Hotel. Mr. Anderson's lease covers the ground now occupied by his tents.

As soon as Mrs. Ash shall have constructed the building on the ground leased by her I shall expect her to remove the old unsightly log building which now serves her as a residence, store, and post-office.

The transfer by Mr. French of his interest in the property near Yancey's and at Soda Butte to his successor as mail carrier has received the approval of the Department. These buildings are now occupied by Mr. Roseborough. I have also permitted him to erect a small building at the Mammoth Hot Springs to be used in connection with his mail contract, to be removed at any time when so ordered by the acting superintendent.

The old trouble concerning licenses granted to outside parties to carry tourists through the Park has not been renewed this year, on account of the wise decision of the Department to only permit such licensees to conduct camping parties. Such licenses have been granted to twelve different parties for from two to five vehicles each, and all seem to be doing a fairly prosperous business. I doubt not that there will be many more applications of this kind received, as the season for camping parties is not yet fairly on. Bassett Brothers have a license for ten wagons, but their route connects with the Utah and Northern Railroad at Beaver Canyon and is over a field not covered by the regular company's coaches, so they in no way interfere, and they are permitted to take passengers to the hotels.

It is a pleasure to note that the various bills for the segregation and dismemberment of the Park were killed in the last Congress through the adverse report of the Secretary of the Interior, in which the committees concurred. It is to be hoped that this wise course will be pursued by coming Congresses, as all such bills are directed to personal gain and not to public interest.

It is not known here what action has been taken in regard to the payment of Mr. Gallagher for his survey of the boundary of the timber reserve. It is certain, however, that his work has no value. He neither began at the initial point of any one of the lines nor did he conspicuously mark these lines. The greatest need of the Park at the present time is that these lines be run with accuracy and be so marked that they would be instantly discoverable by any person who might cross them. So long as the law of the 7th of May, 1894, does not extend to the timber reserve, I would urge that means be taken to survey and locate the lines of the Park itself. While the Park regulations are made to cover the timber reserve, there are no penalties attached to violations of them outside of the Park boundaries proper. I suggest that an effort be made to have a bill passed at the coming session of Congress extending the provisions of this most satisfactory law to the timber reserve.

Two years ago an accurate determination of latitude and longitude was made at a point near the lake outlet by parties sent out by the Coast Survey. No report has yet been received of the result of these observations. I would request to be informed of the correct latitude and longitude of this point, in order that they may be inscribed on the monument already erected there. As this monument is plainly visible from all the distant peaks surrounding the lake, it will be easy to conduct a system of triangulation and accurately locate the lines of the Park astronomically. I would also suggest that monuments be authorized at the easternmost point of the Yellowstone Lake, its most southerly point, and the westerly point of Shoshone Lake, as these are by law the initial points of three of the boundaries of the Park. There will be small expense attached to monumenting these points, and they will serve a definite purpose in properly fixing the lines. I would also endeavor to have inscribed on the monument spoken of the correct altitude of that point, based on a series of levels connecting with the Northern Pacific Railroad survey at Cinnabar.

PROTECTION OF FORESTS.

I have heretofore gone into the subject of protection of forests at such length as to leave but little to say at this time. Last season was noted for the frequency of light rains, which no doubt aided in the prevention of fires. I have once more to report that none of any material consequence occurred during the entire year. I have, therefore, but the one serious fire of July, 1893, to report as occurring since my arrival, and that one I find upon careful examination to have been much less extensive than previously reported. The system of daily patrols from my numerous outposts has done much to prevent fires. My rule is to have a man start every morning from each of these stations, carrying with him a bucket and a shovel with which to thoroughly extinguish any smoldering embers that may be found in the abandoned camps of tourists. These patrols continue on their way until they meet similar patrols from the neighboring station, when, after a short halt, they retrace their steps in the afternoon to their own proper home. In this way

many serious fires are undoubtedly prevented, and to the thoroughness of the system I feel sure most of the good results are due. Whenever camping parties, by their carelessness, leave fires which endanger the forests, arrests are promptly made and the parties brought into this station, where they are tried by the United States commissioner for violation of the Park regulations. Convictions had are freely talked of among the tourists, with the result of making subsequent parties more careful. There have already been twelve convictions for violations of the law of May 7, 1894.

OUTPOSTS.

The work done by the patrols from the various outposts that I have established has continued to give the greatest satisfaction. The duty is hard, involving much riding in summer, exposure to heat and to cold, much snowshoe work in winter, and the incurring of many dangers. I find the freedom and the ease of the life makes this duty very popular with the better class of soldiers, and I have no difficulty in obtaining from the best of men applications for this sort of service.

I have not established any new stations for summer service, but during last winter I added one, which was occupied by a sergeant and three men near the Mud Geyser. The object of this new station was the protection of the bison that winter in the Hayden Valley.

In my last report I noted the death of Private Mathews, of Troop D, Sixth Cavalry, while on detached service from the Riverside Station, going to the Lower Basin for the mail. A most thorough search for his remains was continued for at least six months after his disappearance. His body was found early in June of this year on the south side of the Gibbon River, about 3 miles from its junction with the Firehole. It was evident that he became lost, and while in that condition became crazed and perished from cold.

For this season's work I have been authorized to expend a portion of the appropriation for Park improvement in the employment of additional scouts. As soon as the poaching season fairly begins, I will make such use of this fund as I feel sure will result in important captures, and a few convictions will have a most salutary effect upon game protection.

MILITARY POST.

Although there have been no important additions to the military post, yet many small improvements have been made, and the buildings now constitute a sightly group, as viewed from the porch of the Mammoth Hot Springs Hotel.

It is especially desirable that accommodations for an extra company should be erected at the new post. If it be not found practicable to obtain sufficient funds for the completion of all these buildings within one year, I would urge that at least the barracks for the soldiers and the stables for the horses be erected at once, while the quarters for the officers may await a further allotment.

ROADS.

Soon after my last report was rendered, the control and management of the road work were turned over to me by an order from the Secretary of War. It was then too late in the season to inaugurate any extensive system of road building. Repairs, resulting in material betterment, were, however, instituted. The arch bridge near the Upper Falls of the Yellowstone was completed, and the road at that point thus made pass-

able for travel, but not before the end of the tourist season. The road at the foot of the Virginia Cascade, which had entirely washed out in the spring of last year, was put in a condition to withstand any rise in the water that the springtime might bring. About 2 miles of road in the Gibbon Canyon, which had so washed out as to be almost impassable, were put in a thorough state of repair. A mile of new road was built between here and Gardiner, replacing the old road, which was rendered impassable by the destruction of the bridge over the Gardiner River about a mile and a half below here. By this new road the heavy grades of the old one are entirely avoided, and the experience of this season has shown that it is a much superior thoroughfare.

With the beginning of this season I began work in earnest on the road system. My first object was to put the roads in a thorough state of repair. To this end I made a liberal use of the road machine, filling up the ruts cut by heavy freight wagons in the wet and softened road bed. Following these machines was a man who removed from the track all small stones which were found there, thus saving the jolt caused by them. This, in many places, at small expense, converted a very bad road into a good one.

A new road of full width and easy grades has been constructed down the brink of the Grand Canyon from a point over the Lower Falls to Inspiration Point. I have also had protecting railings put on both Point Lookout and Inspiration Point. The trails leading down to the Lower Falls have been improved, and the dangerous places guarded by hand rails. A new road has been finished from a point on the old road just south of the Alum Creek Bridge, passing round Sulphur Mountain, and joining the old road again near Antelope Creek. A roadway has been opened from the Lake Hotel to the Natural Bridge, so that it now is passable for light wagons. A crew has been working for about a week on the road which was projected along the shore of the lake, near the Thumb, but not heretofore completed. As about 2 miles of this part of the road is very heavy from the covering of loose beach sand, I shall have to surface it with some clayey material, which will not be an inexpensive piece of work. I hope, however, to have it completed within a few days. The road from the Old Faithful to the Upper Crossing of the Firehole has been remade, and a driveway to the Lone Star Geyser opened. I have also made a road passable from the Fountain Hotel around the Constant, or Black Warrior Geyser, and back by way of the Great Fountain. A bridge will soon be completed over the Firehole River just south of the Excelsior Geyser, permitting teams to cross the river at this point and join the direct road in the edge of the woods opposite. A bridge has also been constructed at the old ford near the mouth of the Gibbon Canyon. I have located a new road connecting a point on the old road at the top of the hill beyond the Gibbon Canyon with the same road on the flat about a mile north of the Firehole cottages. This road is already completed for more than half its length, and by August 1 I hope to have it in use. I will also connect this road at its nearest point with the road down the Madison, at the junction of the Gibbon and the Firehole. The balance of this road down the Madison Canyon I shall survey this year, but will leave the construction of it for another season.

In a few days a surveying party will proceed down the Snake River to complete the roadway to Jackson Lake, begun two years ago. As soon as the surveying party can be spared from this last-named work it will be put to work locating the proposed road from the Grand Canyon to Yanceys, over Mount Washburn.

When some of the crews now engaged in road repairs can be spared from that work, I shall place them on the road near Cooke City to open out and improve the road in that vicinity.

All of this work is done under the direction of the Secretary of War, but I embody a mention of it in this report in order that you may be informed of the progress made. Of one thing I feel certain, and that is, that the transfer of the control of the road work from a nonresident officer to the acting superintendent has resulted in great saving of appropriation and in much improvement to the roads.

HOTELS.

Mr. J. H. Dean continues to manage the hotels for the Park Association in the same manner as for the last three years. The high standard set by him has not been lowered, but rather improved. Throughout they are neat, clean, and excellently managed. He deserves the greatest praise for the manner in which they have been conducted. The rates, which were $5 per day last year, have been lowered to $4 for this year, with a reduction to $3 after a seven days' stay in the Park. Of course there is an urgent need of a hotel to accommodate tourists at the Upper Geyser Basin, but so long as this property has failed to be remunerative I see but little chance of obtaining the much-desired improvement. A hotel containing a few rooms should also be erected at Norris, and when the road over Mount Washburn is completed a hotel near the mouth of Tower Creek will be a necessity.

TRANSPORTATION.

The only change to be noted in the transportation is the refusal of the Department to grant licenses to any but the Park Transportation Company to take tourists to the hotels. Many licenses are issued, but they are all, except the Bassett Bros., restricted to camping parties. So long as the regular company maintains its very high standard of excellence, it is right and proper that it should be protected in this manner. It has, and is required to have, an expensive plant, always ready to accommodate the greatest volume of travel. Its whole equipment of horses, harness, vehicles, and drivers is of the best. It has a large sum of money invested in this plant and is under bonds to the Government for the faithful execution of its lease and contract. The fact that its prices are fixed by the Department makes it impossible for just complaint of it as having a monopoly. During all of last year the travel was so slight as to make its business a losing one. Thus far this year it has not been much better.

The satisfaction given by it has been so general, the fault found has been so small, that I am constrained to speak of it in the highest terms. So long as the company has not deemed it worth its while to establish a line of coaches to Beaver Canyon, I have thought it best to offer the license over that route to the Bassett Bros., who have satisfactorily done the business for so many years, and they are at present conducting it under the old form of license, a form which is now only used in their case.

One act of the transportation company has met with very general approval, and that is a very liberal extension of stop-over privileges. The company no longer makes an effort to dictate to any passenger by what route, by what means of conveyance, or during what hours he shall make the tour, no matter how impractical, inconvenient, or absurd the various requests may be.

One difficulty in regard to licensed transportation I have not been able to entirely overcome, and that is the hiring by tourists of vehicles from livery establishments. It is often easy for them to pass through with such means of conveyance, claiming them as their own.

I have had less trouble than usual with camping parties leaving unsightly rubbish behind them in their abandoned camps. This is possibly due to the constant warning given them as they stop to register at the point where they enter the Park.

The Boat Company this season is obtaining a large percentage of the travel. It enables parties to reach the Lake Hotel several hours earlier than they would if they remained in the stages, besides furnishing a delightful trip over one of the most beautiful sheets of water in the world. The boat is safe, is clean, and is capable of carrying as many passengers as will ever desire to use it, and is deserving of patronage. The complaints that I have heard in regard to it are principally with regard to high charge, which is unavoidable on account of the small amount of patronage and the great expense of conducting the enterprise. It is a pity that this boat can not be made a part of the regular Park transportation, and be used or not at the will of tourists, without extra expense. At present there seems no good way of accomplishing this result. Mr. Waters, the manager of the Boat Company, is courteous and attentive to the wants and the interests of his passengers. The complaints against him are mostly from overcharge for damage done fishing tackle, and other minor items furnished by him. During the last year he has been granted a license by the Department to sell candies, nuts, and small groceries to camping parties, to do blacksmithing for the same, as well as to take parties to the Natural Bridge by vehicle or on horseback. It was quite necessary that some one should conduct these small enterprises at this point, and Mr. Waters seemed to be the only person desirous of undertaking them, and so far, I believe, has conducted them satisfactorily.

FISHING.

I have little to add to my previous reports on the subject of fishing in the Park. The enormous number taken here by all parties who take the time to cast a line surpasses all belief. The plants of trout put by the Fish Commission in the Gardiner and Willow Creek, in the Firehole and the Nez Perces, now furnish the rarest of sport to those wishing to try the brook trout, the Loch Leven, or the Von Behr. The plant made by the Fish Commission in Shoshone Creek two years ago has prospered, and the stream is now filled with small ones. The only plant that does not seem to have succeeded is that of the rainbow trout in the Gibbon River, above Virginia Cascade. An occasional fish is seen in this part of the river, but they are nearly all large, indicating that for some cause or other they have not propagated satisfactorily.

The black bass sent out by the Commission in December, 1893, reached here at a time when the thermometer was 22 degrees below zero. By the time they reached Norris they were apparently all dead, but they were thrown into the Gibbon River at that point. I have recent reports from a crew building a bridge over the Gibbon near the mouth of the canyon that several had been seen at that point. I had hoped that they were all dead, as it was not my desire to have them in streams where trout either were, or might be planted.

The plant of bass promised for last year was not sent, but about ten days ago five hundred were received at Cinnabar one morning at 11

o'clock, and before night I had them distributed in the lakes which were their destination, more than 50 miles distant from the point where they were received from the car. Every one of this number was healthy and in good condition, and I have strong hopes of soon adding bass fishing to the other pleasures of the Park tour.

Professor Jordan, who had already made several trips through the Park under the auspices of the Fish Commission, passed through last month as a tourist. He was much interested in the progress of the plant which he had been instrumental in making. He said that he believed the large number of trout taken in the Yellowstone Lake did no harm and that those that remained were improved by it. The opinion of this high authority is conclusive as to the fact that there is no need of protection to fish in the lake and the waters of the Yellowstone. It has occurred to me that protection might be needed for those planted in the Gardiner and the Firehole. It is gratifying to note that they were more numerous this year than ever before in both these streams, but, inasmuch as the volume of tourist travel last year was small, perhaps some restrictive measures will be necessary in the future. I do not suggest a closed season, but rather that a regulation be made requiring all fish under a certain length to be returned to the stream. I suggest 6 inches as a minimum length for any fish permitted to be taken in the streams so stocked. Of course the plant of bass will be protected until they have sufficiently increased in numbers to permit of their being taken without endangering their numbers.

WORK DONE.

The work done within the Park during the past year has been confined principally to repairs and construction of roads; of this I have already spoken at some length. As it is now about the middle of the road-making season, it is not easy to exactly specify what has been done. A good deal of it is under way and in a more or less advanced stage of completion. Before the close of this season I wish to have the circuit of the roads as now traveled by tourists under complete construction. I shall also have a beginning made on the Madison Canyon road, and the balance of this road under survey. I shall make a beginning of 5 or 6 miles on the road near Cooke City, working this way. I shall also have opened a road down Snake River to connect with the Wyoming roads, already completed this side of Jacksons Lake as far as the Park line. Lack of funds will prevent my beginning construction of the road over Mount Washburn, but it will be carefully surveyed and the timber cut from at least a portion of it, and it will be ready for the graders when the next appropriation shall become available. Until this road is finished it is useless to think of attempting to macadamize the present roads, unless Congress is far more liberal in its appropriations. If $100,000 were allowed each year for three years it is believed that the roads could be put in such shape that travelers would not be inconvenienced by either mud or dust, and the yearly amount required for repairs would be materially lessened. Until the surveys are completed and I have the reports of the engineers, I shall not be able to estimate the cost of the new roads still needed.

POACHING.

The act of May 7, 1894, seems to have had a most healthy effect upon the poachers who surround and prey upon the Park. I believe that those of the north, the east, and the south sides have nearly or quite

ceased troubling it. I can not say as much as this for the Idaho border. There is a section of country beginning at Henrys Lake and extending south for about 25 miles inhabited by a merciless and persistent lot of head and skin hunters. In most civilized countries the occupation of such vandals as these is held in merited contempt, but it is not so in the region of which I have made mention. The laws of Idaho are extremely deficient in game protective measures. I believe it is a fact that the bison, now so nearly extinct, is not protected at all. So long as the only herd of wild bison now existing in the United States is on the border of this State, liable at any time to cross within its dominion, it would seem that the State would pass the laws necessary to protect them with the most vigorous of punishments. Extended inquiry into various rumors of the killing of bison, either in the Park near the Idaho line or across it within that State, has convinced me that this last remaining herd is in danger of extinction by these people of whom I have made mention. I have good evidence of the killing of at least ten less than two years ago near the State line, but probably outside the Park. This was prior to the passage of the protection act, which has nearly put an end to depredations within the Park. I have undoubted evidence of the capture of three calves this spring by a resident of Henrys Lake. He claims that this capture was made outside the Park. There are rumors of a herd of nearly one hundred having been seen in Idaho outside the Park within the last two or three months. The Park act can afford no protection to these animals after they cross its boundary. I trust every influence will be brought to bear to induce the Idaho authorities to pass a protective law, and to this end I will exert my best endeavor.

A single conviction of a poacher under the law of May 7, 1894, will act as a powerful deterrent on these criminals, and I have no doubt will go far toward settling the question of incursions by depredators for all time.

The only other way in which the Park is liable to be troubled by poachers is in the capture of the fur-bearing animals. It is so easy to place poison or set traps where the eye of the most expert scout can not find them; it is so easy to pack the pelts out of the Park without detection, that it has seemed to me one of the most difficult problems that I have been called upon to handle. Of course the constant system of patrols has done much to enforce the law and the regulations on this subject, and I am pleased to state that the effect has been the best. Evidences multiply on all hands of the constant increase of all of these animals. Four years ago I considered the extinction of the beaver imminent. I now find them multiplied many fold in all of the suitable streams in the Park. Of course some of them fall a victim to the trappers who hang around the borders, but the large central area of the Park is as thoroughly protected as though poachers were nonexistent.

The few elk, deer, antelope, bear, etc., that may fall victims to the hunter's rifle within the Park limits will not in any material sense diminish their numbers, and except, as a matter of example, it would not be worth the trouble of pursuing the poacher who confines his depredations to this kind of game.

GAME.

Last winter there was less snow than ever before known within the Park. It was possible for the larger game, such as bison and elk, to pass at will over most parts of it during the entire winter. For that

reason, perhaps, the bison that have heretofore wintered in the Hayden Valley were not massed there this year. The most seen there in a single bunch at any one time was about thirty. Small herds of from three or four to ten were seen in widely separated localities where they have not usually wintered. I feel sure that many of them did not leave their summer range along the Idaho line. How many of them may have been killed or captured I can not determine, but I fear that their number has not increased, although I am still disposed to adhere to my estimate of last year that two hundred still remain. There has been placed at my disposal by Professor Langley, of the Smithsonian Institution, $3,000 with which to build an inclosure and provide food for so many as can be driven within it during the coming winter. If this plan should succeed we will be able to retain a small herd and keep them nearly in a state of nature. I hope to have this inclosure built by the middle of September.

On account of the mildness of the winter and the early disappearance of the snow it was a particularly favorable season for the rearing of young, and all of the wild animals seen this spring are accompanied by an exceptional number of vigorous and healthy offspring.

From reports received from the station on Snake River, it seems that the moose in that region are rapidly increasing. I have no doubt they are thoroughly protected, and in time will form an important element among the game preserved within the Park.

Of the mountain sheep I have nothing new to report. Their summer habitat is not within my observation, but the usual herds wintered on Mount Everts and were seen almost daily by travelers on the road between here and Gardiner.

The elk have quite held their own or increased in numbers, and have been seen almost daily by tourists up to the present date. They exist within the Park in such great numbers that the question of their preservation is not one that causes any concern. A succession of open winters like the last would possibly make them more numerous than the food supply could well support. That they breed and winter within the Park and wander outside of it to furnish sport for hunters is not an evil, and is perhaps one of the very excuses for game protection within its limits.

The antelope have increased very materially. Certainly eight hundred of them wintered on the flat this side of the town of Gardiner, where this most shy of all wild animals became nearly as tame as domestic cattle.

The deer seem to have increased more rapidly than any other variety of game. I have seen within the last twelve months double the number that I have ever before seen in a similar period. During the winter and the early spring they wander unterrified over the grassy slopes at this point and pass within a few feet of the houses and barracks, exposed to the gaze of the officers and soldiers, without exhibiting the slightest fear.

Bear are as plentiful and as tame as ever, visiting most of the hotels nightly, where they are a source of amusement and entertainment to the tourists. Although they have increased notably, I do not think it is desirable to diminish their numbers. They are not dangerous to human life, and the Park can well spare whatever of the other game they may consume for their sustenance.

The only contributions made to the National Zoological Park at Washington last year were ten beaver, a few of the smaller animals, and some birds. This was, of course, largely due to the fact that I was uncertain

as to whether I would be permitted under the new law to capture and ship them. An affirmative decision on this point came too late in the season to be of any value, for the young were then too large to be captured. I am arranging to make some captures for shipment this autumn.

GEYSERS.

I have had observations made on the eruptions of the geysers covering only such hours of the day as the men stationed thereat were on duty. Eruptions occurring during the night were, as a rule, not observed or included in the report I append for publication. A list of these observations was made last season and published in my last report with a view of counteracting the prevailing opinion that there is a general law of periodicity in their action. Old Faithful, which years ago was carefully observed during all of its eruptions for nearly a month, was found to have a nearly uniform interval of about sixty-eight minutes. It is probable that this interval has slightly increased, but that it is still measurably uniform from one eruption to the next is quite certain. The Fountain Geyser also has a fairly regular action with an interval of about five hours at the present time. This interval seems to be dependent somewhat upon the surface-water supply, being greater in dry months late in the season than in the spring when the supply of surface water is larger. A fairly regular interval has also been noted for the Great Fountain. At the present time its interval is about eight hours.

PROPRIETARY RIGHTS IN THE PARK.

There are still three claims of private citizens for locations and improvements made within the Park limits before the act of dedication. These claims have all been made the subject of special legislation introduced in Congress, but have not so far become laws.

The claim of Mr. J. C. Baronett is for a bridge built by him in 1871 over the Yellowstone River. The amount of the claim is $5,000. I do not regard this figure as excessive, and I recommend that the passage of this act receive your approval.

Mr. James C. McCartney has also a claim for $3,000 for improvements made at this point. It is reasonable and just, and I recommend it to your favorable consideration.

Mr. Matthew McGuirk has a claim for $4,000. I do not believe his improvements were extensive enough to warrant the entire amount of this claim. I have considered the value of these improvements in a special report heretofore made to you. If his claim were reduced to a suitable amount, I would recommend that it receive your approval.

If these bills should pass and the parties receive a proper remuneration for their improvements, it would remove from the Park limits the last vestige of proprietary interest.

RECOMMENDATIONS.

To make a résumé of the recommendations contained in this report, I would request:

First. A special effort to obtain an accurate and complete survey of the boundaries, with a system of blazing or marking, so that they could be instantly recognized wherever crossed.

Second. Liberal appropriations with which to complete the road system, as now approved, and for the most part under construction.

Third. A continuance of these appropriations until the roads are put in such condition as to reduce to a minimum the trouble from mud and dust.

Fourth. The addition to the military post of accommodations for another company.

I wish to extend my thanks to all the officers on duty in the Park for intelligent and zealous assistance in all that tends to its welfare. I wish particularly to acknowledge my indebtedness to Capt. G. L. Scott for the valuable assistance rendered by him.

The meteorological record kept under the direction of Surg. C. M. Gandy is appended, as is also a record of the geyser eruptions at the Upper Basin, kept under the direction of Captain Scott.

Yours, very respectfully,

GEO. S. ANDERSON,

Captain, Sixth Cavalry, Acting Supt. Yellowstone National Park.

The SECRETARY OF THE INTERIOR.

METEOROLOGICAL RECORD.

JULY, 1894.

Date.	Maximum.	Minimum.	Range.	Winds.	Precipitation.	Remarks.
1	80	48	32	S.	.....	
2	71	54	17	W.	0.02	Rain.
3	70	52	18	W.	.03	Rain.
4	74	55	19	W.	.01	Rain.
5	69	53	16	W.	.05	Rain.
6	75	53	22	S.	.....	
7	81	52	29	S.	.....	
8	83	54	29	S.	.....	
9	85	57	28	S.	.....	
10	90	66	24	S.	.....	
11	69	65	4	SW.	.07	Rain.
12	68	56	12	W.	.....	
13	73	52	21	S.	.01	Rain.
14	87	52	35	S.	.04	Rain.
15	83	53	30	W.	.16	Rain.
16	81	52	29	W.	.....	
17	68	57	11	NW.	.....	
18	76	52	24	NW.	.....	
19	83	50	33	W.	.....	
20	84	57	27	S.	.....	
21	84	57	27	S.	.....	
22	88	59	29	S.	.....	
23	88	55	33	S.	.03	Rain.
24	81	56	25	S.	.....	
25	82	54	28	S.	.02	Rain.
26	76	53	23	SW.	.10	Rain.
27	64	48	16	W.	.....	
28	77	47	30	SW.	.20	Rain.
29	83	54	29	S.	.....	
30	85	60	25	S.	.25	Rain.
31	76	52	24	SW.	.....	
Total	2,434	1,685	749	.....	.99	
Mean	78.52	54.36	24.16	S.	.....	

Maximum, 90 on 10th instant; minimum, 47 on 28th instant; total precipitation, 0.99; prevailing winds, south.

AUGUST, 1894.

Date.	Maximum.	Minimum.	Range.	Winds.	Precipitation.	Remarks.
1	76	52	24	W.	.....	
2	76	57	19	W.	.....	
3	79	51	28	W.	.....	
4	85	57	28	S.	.....	
5	81	61	20	W.	.....	
6	78	57	21	S.	0.22	Rain.
7	78	57	21	S.	.....	
8	80	53	27	S.	.....	
9	79	52	27	SW.	.....	
10	83	54	29	S.	.07	Rain.
11	74	57	17	SW.	.....	
12	79	57	22	S.	.....	
13	78	51	27	S.	.04	Rain.
14	75	55	20	SW.	.....	
15	80	49	31	S.	.....	
16	81	50	31	S.	.01	Rain.
17	83	54	29	S.	.....	
18	87	51	36	S.	.....	
19	79	58	21	SW.	.....	
20	83	53	30	S.	.....	
21	86	59	27	S.	.07	Rain.
22	88	56	32	S.	.....	
23	83	58	25	S.	.....	
24	86	58	28	S.	.....	
25	88	56	32	S.	.....	
26	86	57	29	S.	.....	
27	89	54	35	S.	.....	
28	89	56	33	S.	.....	
29	85	55	30	S.	.75	Rain.
30	78	51	27	SW.	.28	Rain.
31	68	58	10	SW.	.31	Rain.
Total	2,520	1,704	816	.....	1.75	
Mean	81.29	54.97	26.32	S.	.....	

Maximum, 89 on 27th instant; minimum, 51 on 30th instant; total precipitation, 1.75; prevailing wind, south.

SEPTEMBER, 1894.

Date.	Maximum.	Minimum.	Range.	Winds.	Precipitation.	Remarks.
1	73	57	16	S.	0.03	Rain.
2	58	57	1	W.	.04	Rain.
3	59	47	12	SW.	.....	
4	65	46	19	SW.	.....	
5	63	50	13	SW.	.....	
6	57	51	6	NW.	.07	Rain.
7	57	51	6	NW.	.....	
8	69	44	25	W.	.....	
9	65	55	10	W.	.....	
10	73	49	24	S.	.....	
11	72	59	13	S.	.06	Rain.
12	62	51	11	SE.	.....	
13	45	42	3	E.	.....	
14	50	40	10	E.	.....	
15	54	47	7	SE.	.....	
16	55	40	15	N.	.....	
17	60	43	17	SW.	.....	
18	72	50	22	S.	.....	
19	68	42	26	S.	.....	
20	68	47	21	N.	.....	
21	68	53	15	N.	.....	
22	53	38	15	N.	.....	
23	54	38	16	N.	.....	
24	73	36	37	S.	.....	
25	74	52	22	S.	.....	
26	69	53	16	NW.	.22	Rain.
27	53	42	11	NW.	.....	
28	44	42	2	N.	.....	
29	55	36	19	NW.	.27	Rain, snow.
30	65	43	22	NW.	.....	
Total	1,853	1,401	452	.....	.71	
Mean	61.77	46.70	15.07	S.	.....	

Maximum, 73 on 1st instant; minimum, 36 on 29th instant; total precipitation, 0.71; prevailing wind, south.

OCTOBER, 1894.

Date.	Maximum.	Minimum.	Range.	Winds.	Precipitation.	Remarks.
1	65	43	22	NW.	.....	
2	65	42	23	NW.	0.02	Rain.
3	55	44	11	W.	.....	
4	65	44	21	S.	.....	
5	65	49	16	S.	.....	
6	54	36	18	N.	.....	
7	48	26	22	N.	.....	
8	54	26	28	N.	.....	
9	51	29	22	NW.	.....	
10	55	27	28	NE.	.....	
11	52	29	23	N.	.....	
12	65	27	38	S.	.....	
13	67	.....	.....	S.	.....	
14	56	.....	.....	N.	.....	
15	56	.....	.....	N.	.....	
16	73	.....	.....	S.	.....	
17	63	.....	.....	S.	.....	
18	57	.....	.....	SW.	.....	
19	49	41	8	N.	.14	Rain.
20	39	35	4	N.	.12	Snow.
21	39	.....	.....	N.	.....	
22	43	.....	.....	S.	.....	
23	63	.....	.....	S.	.....	
24	58	.....	.....	SE.	.25	Rain.
25	50	.....	.....	N.	.....	
26	53	.....	.....	S.	.....	
27	44	.....	.....	N.	.21	Snow.
28	34	.....	.....	N.	.....	
29	39	.....	.....	N.	.....	
30	45	30	15	S.	.15	Snow.
31	39	29	10	S.	.....	
Total	1,661	557	309	.....	.89	
Mean	53.88	34.80	19.03	N.	.....	

Maximum, 73 on 16th instant; minimum, 21 on 8th instant; total precipitation, 0.89; prevailing wind, north; depth of snowfall, 4.05 inches.

NOVEMBER, 1894.

Date.	Maximum.	Minimum.	Range.	Winds.	Precipitation.	Remarks.
1	44	28	16	S.	.....	
2	44	30	14	S.	.....	
3	45	32	13	S.	.....	
4	43	17	26	SE.	.....	
5	55	25	30	S.	.....	
6	57	33	24	SW.	.....	
7	47	39	8	N.	.....	
8	58	38	20	S.	.....	
9	57	39	18	S.	.....	
10	57	30	27	S.	.....	
11	58	33	25	S.	.....	
12	57	38	19	E.	.....	
13	57	27	30	S.	.....	
14	50	39	11	SW.	.....	
15	23	22	1	N.	0.10	Rain.
16	24	−1	25	N.	.....	
17	32	20	12	NW.	.....	
18	42	26	16	NW.	.....	
19	44	32	12	SW.	.....	
20	39	21	18	NW.	.....	
21	36	21	15	NW.	.....	
22	30	10	20	NW.	.....	
23	34	20	14	SW.	.....	
24	44	29	15	S.	.....	
25	49	35	14	S.	.....	
26	52	42	10	S.	.....	
27	46	34	12	SW.	.05	Snow.
28	36	30	6	SW.	.....	
29	35	23	12	W.	.....	
30	33	23	10	W.	.....	
Total	1,328	835	493	.....	.15	
Mean	44.27	27.83	16.43	S.	.....	

Maximum, 58 on 11th instant; minimum, −1 on 16th instant; mean, 36.05; precipitation, 0.15; prevailing winds, south.

DECEMBER, 1894.

Date.	Maximum.	Minimum.	Range.	Winds.	Precipitation.	Remarks.
1	29	7	22	NW.	.....	
2	31	5	26	NW.	.....	
3	33	2	31	N.	.....	
4	38	21	17	W.	.....	
5	38	19	19	W.	.....	
6	39	31	8	SW.	0.40	Snow.
7	27	12	15	SW.	.....	
8	30	15	15	SW.	.....	
9	23	13	10	W.	.10	Snow.
10	26	9	17	W.	.....	
11	23	13	10	SW.	.....	
12	28	10	18	SW.	.....	
13	34	8	26	SW.	.30	Snow.
14	38	14	24	SW.	.20	Snow.
15	25	24	1	W.	.....	
16	28	24	4	W.	.....	
17	35	25	10	W.	.....	
18	39	28	11	W.	.03	Rain.
19	43	23	20	W.	.....	
20	35	33	2	SW.	.....	
21	36	15	21	W.	.....	
22	41	14	27	W.	.20	Snow.
23	26	19	7	W.	.10	Snow.
24	17	3	14	W.	.....	
25	16	−1	17	NW.	.....	
26	11	−7	18	NW.	.....	
27	9	−17	26	NW.	.....	
28	12	−12	24	NW.	.....	
29	12	5	7	W.	.01	Snow.
30	24	−1	25	S.	.....	
31	25	8	17	S.	.....	
Total	871	362	509	.....	1.34	
Mean	28.10	11.68	16.42	W.	.....	

Maximum, 43 on 19th instant; minimum, −17 on 27th instant; mean, 19.89; precipitation, 1.34; prevailing winds, west.

METEOROLOGICAL RECORD—Continued.

JANUARY, 1895.

Date.	Maximum.	Minimum.	Range.	Winds.	Precipitation.	Remarks.
1	26	12	14	SW.	.....	
2	21	16	5	SW.	0.40	Snow.
3	33	— 2	35	SW.	.70	Snow.
4	33	26	7	SW.	.50	Snow.
5	30	28	2	SW.	.10	Snow.
6	22	15	7	SW.	.....	
7	19	2	17	NW.	.....	
8	24	6	18	NW.	.01	Snow.
9	36	18	18	W.	.....	
10	34	24	10	W.	.....	
11	41	26	15	S.	.03	Snow.
12	40	27	13	W.	.....	
13	38	26	12	W.	.....	
14	22	10	12	N.	.....	
15	10	— 15	25	N.	.....	
16	29	6	23	N.	.40	Snow.
17	30	12	18	NW.	1.60	Snow.
18	30	21	9	NW.	.....	
19	31	24	7	NW.	.40	Snow.
20	26	7	19	NW.	.01	Snow.
21	26	7	19	NW.	.02	Snow.
22	36	15	21	W.	.....	
23	33	23	10	W.	.....	
24	33	11	22	W.	.....	
25	26	— 2	28	NW.	.10	Snow.
26	16	5	11	N.	.....	
27	15	— 23	38	N.	.....	
28	14	— 14	28	N.	.01	Snow.
29	16	2	14	N.	.10	Snow.
30	21	8	13	N.	.30	Snow.
31	22	1	21	N.	.02	Snow.
Total	833	322	511	.....	4.76	
Mean	26.87	10.39	16.50	N.	.....	

Maximum, 41 on 11th instant; minimum, — 23 on 27th instant, mean, 18.63; precipitation, 4.76; prevailing winds, north.

FEBRUARY, 1895.

Date.	Maximum.	Minimum.	Range.	Winds.	Precipitation.	Remarks.
1	19	3	16	NW.	0.01	Snow.
2	30	16	14	NW.	.....	
3	32	22	10	NW.	.02	Snow.
4	31	19	12	NW.	.....	
5	28	19	9	N.	.10	Snow.
6	31	13	18	N.	.....	
7	32	— 2	34	N.	.....	
8	28	11	17	N.	.....	
9	23	— 8	31	N.	.....	
10	18	—19	37	N.	.....	
11	0	—26	26	N.	.....	
12	14	—21	35	N.	.....	
13	10	—10	20	N.	.....	
14	2	—20	22	N.	.....	
15	25	—12	37	NW.	.....	
16	27	6	21	NW.	.....	
17	24	10	14	W.	.....	
18	34	17	17	W.	.20	Snow.
19	35	25	10	SW.	.....	
20	39	26	13	SW.	.....	
21	38	30	8	SW.	.....	
22	43	31	12	SW.	.....	
23	42	32	10	SW.	.....	
24	44	24	20	SW.	.....	
25	40	17	23	SW.	.....	
26	42	13	29	SW.	.....	
27	42	22	20	SW.	.....	
28	42	22	20	SW.	.01	Snow.
Total	815	260	555	.....	.34	
Mean	29.11	9.29	19.82	.....	.....	

Maximum, 44 on 24th instant; minimum, — 26 on 11th instant; mean, 19.21; precipitation, 0.34; prevailing winds, northwest and southwest.

MARCH, 1895.

Date.	Maximum.	Minimum.	Range.	Winds.	Precipitation.	Remarks.
1	36	21	15	SW.	.....	
2	25	— 2	27	SW.	.....	
3	31	— 2	33	W.	.....	
4	28	— 3	31	W.	.....	
5	35	1	34	SW.	.....	
6	31	7	24	S.	.....	
7	36	16	20	S.	.....	
8	44	21	23	S.	.....	
9	44	16	28	SW.	.....	
10	Thermometer broken.	20	.....	W.	.....	
11		24	.....	NW.	.....	
12		5	.....	N.	0.75	Snow.
13		— 8	.....	N.	.35	Snow.
14		—17	.....	N.	.....	
15		—10	.....	N.	.....	
16		8	.....	S.	.....	
17		13	.....	SW.	.....	
18		13	.....	SW.	.....	
19		12	.....	N.	.....	
20		19	.....	S.	.....	
21		21	.....	S.	.13	Snow.
22		24	.....	S.	.65	Snow.
23		11	.....	N.	.....	
24		23	.....	S.	.....	
25		33	.....	S.	.....	
26		31	.....	S.	.20	Snow.
27		38	.....	S.	.....	
28		39	.....	S.	.....	
29		27	.....	NW.	.....	
30		18	.....	W.	.71	
31		12	.....	W.	.....	
Total	310	431	235	.....	2.79	

Maximum, 44 on 8th instant; minimum, — 17 on 14th instant, mean, 13.90; total precipitation, 2.79; prevailing winds, south.

APRIL, 1895.

Date.	Maximum.	Minimum.	Range.	Winds.	Precipitation.	Remarks.
1		24		S.		
2		31		SW.		
3		27		SW.		
4		27		SW.		
5		14		N.		
6		11		N.		
7		19		SW.		
8		24		S.		
9		29		S.		
10		32		S.		
11		28		SE.		
12		26		SE.		
13		33		S.	0.33	Rain.
14		39		S.		
15		21		S.		
16		29		N.		
17		39		S.		
18		33		S.		
19		31		S.		
20		32		S.		
21		21		N.	.15	Rain.
22		28		N.		
23		32		S.		
24		32		S.		
25		33		S.		
26		38		S.		
27		36		S.		
28		38		S.	.09	Rain.
29		39		S.		
30		38		NW.	.04	Rain.
Total		884			.61	
Mean		29.47		S.		

Maximum, broken; minimum, 11 on 6th instant; mean of minimum 29.47; precipitation, 0.61; prevailing winds, south.

MAY, 1895.

Date.	Maximum.	Minimum.	Range.	Winds.	Precipitation.	Remarks.
1		36		N.		
2		42		NW.		
3		35		NW.		
4		31		N.	0.01	Rain.
5		32		SE.	.01	Rain.
6		36		SE.	.05	Rain.
7		46		S.		
8		35		N.		
9		29		NW.	.01	0.10 snow.
10		20		NW.	.01	0.10 snow.
11		21		NW.		
12		32		NW.		
13		40		NW.		
14		40		W.		
15		31		W.		
16		26		W.		
17		31		W.		
18		32		S.		
19	65	38	27	SW.		
20	64	35	29	S.	.10	Snow and rain.
21	65	42	23	SW.	.31	Rain.
22	60	36	24	SW.		
23	61	31	30	E.		
24	61	33	28	SW.		
25	68	37	31	SW.		
26	67	42	25	E.	.51	Rain.
27	52	32	20	NW.	.53	Rain and snow.
28	48	26	22	NW.	.01	Snow and rain.
29	47	32	15	SW.		
30	49	36	13	NW.		
31	50	37	13	NW.	.13	Rain.
Total	757	1,052	300		1.68	
Mean		33.93		NW.		

Maximum, broken until 19th instant; minimum, 20 on 10th instant; mean of minimum, 33.93; precipitation, 1.68; prevailing winds, northwest.

JUNE, 1895.

Date.	Maximum.	Minimum.	Range.	Winds.	Precipitation.	Remarks.
1	49	35	14	SW.	0.14	Rain and snow.
2	53	30	23	NW.		
3	54	37	17	NW.		
4	67	33	34	W.		
5	70	43	27	S	.01	Rain
6	62	33	29	NW.	.03	Snow and rain.
7	38	30	08	N.	22	2.20 snow.
8	42	29	13	NW.	.20	2 snow.
9	64	29	33	W.		
10	64	32	32	SW.		
11	66	36	30	S.	.01	Rain.
12	70	36	34	S.		
13	73	48	25	S.		
14	70	42	28	S.	.01	Rain.
15	56	41	15	S.		
16	46	31	15	NW.	.10	1 snow.
17	52	28	24	W.	.06	Snow and rain.
18	60	31	29	W.		
19	65	41	24	W.	.01	Rain.
20	70	40	30	NW.	.13	Rain.
21	76	36	40	SW.		
22	76	43	33	SW.	.01	Rain.
23	79	45	34	W.		
24	65	46	19	NW.	.02	Rain.
25	76	33	43	NW.		
26	79	38	41	NW.	.21	Rain.
27	70	40	30	NW.		
28	79	41	38	NW.		
29	81	46	35	N.	1.55	Rain, hail; heavy thunder storm.
30	75	47	28	SW.		
Total	1,947	1,120	825			
Mean	64.90	37.40	27.50	NW.		

Maximum, 81 on 29th instant; minimum, 29 on 9th instant; mean of maximum, 64.90; mean of minimum, 37.33; total precipitation, 2.71; prevailing winds, northwest.

Observed eruptions of geysers at Upper Basin, Yellowstone National Park.

JUNE, 1894.

		Artemisia.	Beehive.	Castle.	Giant.	Giantess.	Grand.	Oblong.	Splendid.
1	a. m.								
	p. m.								
2	a. m.								
	p. m.								
3	a. m.								
	p. m.								
4	a. m.								
	p. m.	5.20						4.30	8.40
5	a. m.		11.20						
	p. m.	4.15		8.20			5.20	3.30	
6	a. m.			3.20					
	p. m.	5.10	3.15					8.00	
7	a. m.			5.30					
	p. m.							7.30	
8	a. m.								
	p. m.	6.30	4.00						
9	a. m.			7.40					
	p. m.							2.00	
10	a. m.								
	p. m.								3.15
11	a. m.	8.50						9.30	
	p. m.			3.15					
12	a. m.							8.00	
	p. m.								
13	a. m.			6.30					
	p. m.							3.15	
14	a. m.			1.20		a 8.30			
	p. m.	2.15	2.35					5.20	
15	a. m.			9.05					
	p. m.							9.00	
16	a. m.								
	p. m.							7.45	
17	a. m.	10.00	9.00						
	p. m.			12.30				10.45	7.00
18	a. m.			7.20					
	p. m.							7.15	
19	a. m.								
	p. m.								
20	a. m.			10.40					
	p. m.								
21	a. m.	6.30							
	p. m.							5.00	
22	a. m.								
	p. m.								
23	a. m.								
	p. m.	11.45	1.00	12.45				2.30	
24	a. m.								
	p. m.			6.50					
25	a. m.						3.00		
	p. m.		2.30					6.30	
26	a. m.								5.15
	p. m.								
27	a. m.	9.00		9.10					
	p. m.								
28	a. m.							10.30	
	p. m.								
29	a. m.			10.00					
	p. m.		3.10						
30	a. m.								
	p. m.								

a Thirteen hours.

Observed eruptions of geysers at Upper Basin, Yellowstone National Park—Continued.

JULY, 1894.

		Artemisia.	Beehive.	Castle.	Giant.	Giantess.	Grand.	Oblong.	Splendid.
1	a. m.			10.15					
	p. m.	2.30				a 10.45			
2	a. m.		5.00	6.45					
	p. m.							9.50	
3	a. m.		6.30						
	p. m.		5.40	3.30					
4	a. m.	12 m.							
	p. m.			8.00					
5	a. m.							6.30	
	p. m.		3.15	8.30	3.45				8.00
6	a. m.								
	p. m.	1.10		2.30					
7	a. m.							4.00	
	p. m.								
8	a. m.			3.40					
	p. m.								
9	a. m.			11.15					
	p. m.								
10	a. m.	7.00						11.15	7.45
	p. m.			5.25					
11	a. m.								
	p. m.								
12	a. m.			11.45					
	p. m.								
13	a. m.								
	p. m.	4.30						2.00	
14	a. m.				5.00				
	p. m.		4.45	12.30					6.00
15	a. m.								
	p. m.			4.45					
16	a. m.								
	p. m.		4.30	10.15					
17	a. m.								
	p. m.	3.30						6.00	
18	a. m.								
	p. m.		1.50						
19	a. m.								
	p. m.	6.30		12.05					
20	a. m.								
	p. m.		2.00					10.00	
21	a. m.					b 11.35			
	p. m.								
22	a. m.	11.20	8.45	10.55					
	p. m.		8.50					3.30	
23	a. m.						7.10	10.00	
	p. m.			1.30					
24	a. m.								
	p. m.	7.45			8.45		7.20	5.15	
25	a. m.							8.15	
	p. m.	4.15	2.15				9.15	4.00	2.15, 4.30, 6.30, 8.15
26	a. m.								
	p. m.			7.40				8.20	
27	a. m.	8.20						8.15	
	p. m.						8.20		
28	a. m.			11.00					
	p. m.	7.00	2.30					3.10	
29	a. m.			4.30			7.45		
	p. m.							4.15	
30	a. m.							11.30	
	p. m.	9.00	3.15					3.45	
31	a. m.							7.30	
	p. m.	7.15	3.20				9.30	4.50	

a Twenty-one hours. b Fourteen hours.

Observed eruptions of geysers at Upper Basin, Yellowstone National Park—Continued.

AUGUST. 1894.

		Artemisia.	Beehive.	Castle.	Giant.	Giantess.	Grand.	Oblong.	Splendid.
1	a. m.							8.20	
	p. m.	5.30		5.20			10.45	4.15	
2	a. m.								
	p. m.				10.00				
3	a. m.		11.30				6.30	7.20	7.15, 11.30
	p. m.	6.15		5.30					3.45, 7.30
4	a. m.							8.00	6.30, 9.00
	p. m.		12.50						
5	a. m.			10.00					
	p. m.	6.00	1.15				9.00	8.00	
6	a. m.		10.30						
	p. m.	5.30		5.30			8.00	7.00	
7	a. m.		11.30	11.30				8.00	
	p. m.						6.30	3.45	
8	a. m.		11.40				7.15		7.00, 10.00
	p. m.	4.30						4.30	1.30, 5.15
9	a. m.								
	p. m.		1.30				8.20	6.45	
10	a. m.			9.15			7.15	8.00	
	p. m.	7.15	3.00					5.00	
11	a. m.	8.45					7.10	7.00	
	p. m.			6.30					
12	a. m.		11.00		8.30			7.30	7.30, 9.30
	p. m.			7.15			9.30	6.00	3.10, 6.00
13	a. m.								
	p. m.	7.00	1.15						
14	a. m.						6.30	7.30	
	p. m.	6.00	2.00	1.15				4.00	
15	a. m.	7.15	3.15				8.00	8.15	
	p. m.							3.45	
16	a. m.		10.45	10.15			7.30	7.15	
	p. m.								
17	a. m.	8.15	11.15	4.30			6.00	8.00	7.15, 10.00, 12.00, 2.00, 4.00, 6.15
	p. m.							5.15	
18	a. m.			4.00				7.30	
	p. m.						11.45		
19	a. m.								
	p. m.		12.45					7.15	
20	a. m.								
	p. m.	6.15	1.50	12.45					
21	a. m.			7.45	7.10				
	p. m.		3.00			a 5.30		3.00	5.15, 7.15, 9.00, 11.15
22	a. m.			6.00					7.15, 9.00, 11.30
	p. m.		7.50						
23	a. m.			11.30				7.10	
	p. m.						7.15	5.00	
24	a. m.								
	p. m.	7.10		5.10			8.00	6.00	
25	a. m.							8.15	
	p. m.	6.30		11.15				3.45	
26	a. m.						7.30		
	p. m.	5.15			3.30			3.30	3.15, 5.00, 7.15, 9.30, 7.30
27	a. m.			8.30				9.00	
	p. m.	6.00							
28	a. m.			3.15				7.15	
	p. m.	8.15	2.00	9.00				5.10	
29	a. m.			6.00			8.00	9.10	
	p. m.	7.00						4.15	
30	a. m.			9.00			9.15		
	p. m.	6.30							3.15, 5.00, 6.45, 9.15, 7.00, 9.00, 11.00
31	a. m.					b 3.30		6.30	
	p. m.	4.15	2.30	4.30				5.10	

a Eight hours. b Fourteen hours.

Observed eruptions of geysers at Upper Basin, Yellowstone National Park—Continued.

SEPTEMBER, 1894.

		Artemisia.	Beehive.	Castle.	Giant.	Giantess.	Grand.	Oblong.	Splendid.
1	a. m.								
	p. m.	5.10	11.30	9.00					
2	a. m.								11.30
	p. m.	6.15		5.15	10.15				
3	a. m.						7.15		
	p. m.								
4	a. m.			10.00			8.00		
	p. m.	7.00	11.30						
5	a. m.						6.30		9.15
	p. m.			9.00					
6	a. m.								
	p. m.	5.30							
7	a. m.			11.00			7.15		
	p. m.	3.45							
8	a. m.			7.00			9.45		
	p. m.								
9	a. m.								
	p. m.	6.00							
10	a. m.			6.00					
	p. m.				4.15		8.45	1.30	
11	a. m.								
	p. m.	5.15	5.00	3.15			7.00	3.00	
12	a. m.		2.15	8.15		a 1.00		8.00	12 m.
	p. m.	7.00	8.00					3.15	
13	a. m.							11.00	
	p. m.		3.15	2.30				8.00	
14	a. m.						6.30		
	p. m.	5.15		8.30				7.30	
15	a. m.			7.30					
	p. m.	7.00	10.30						
16	a. m.								
	p. m.	8.00		4.30	5.30			7.00	
17	a. m.						8.00		
	p. m.	4.30						2.30	
18	a. m.			10.00			8.30	9.15	9.00, 10.45
	p. m.	7.30							8.00
19	a. m.			8.15					
	p. m.	6.00						2.30, 8.00	
20	a. m.							11.30	
	p. m.	5.10					7.00		
21	a. m.								
	p. m.			2.30				4.30	
22	a. m.			11.15				8.45	
	p. m.							5.00	
23	a. m.		11.30			b 9.15		10.00	
	p. m.	3.15		2.30				3.00	
24	a. m.		10.30					9.30	
	p. m.			3.15					
25	a. m.				9.00				
	p. m.						5.15	8.00	
26	a. m.			9.00					8.00
	p. m.							3.15	
27	a. m.			8.15			8.00		11.30
	p. m.								(c)
28	a. m.			7.15					11.30
	p. m.						4.30	2.00	3.10, 6.00
29	a. m.			6.30					
	p. m.	5.10					6.15	3.15	
30	a. m.			3.30					
	p. m.	6.00		10.10					

a Forty-two hours. b Eight hours. c 1.00, 3.15, 5.00, 7.00, 9.15.

Observed eruptions of geysers at Upper Basin, Yellowstone National Park—Continued.

JUNE, 1895.

		Artemisia.	Beehive.	Castle.	Giant.	Giantess.	Grand.	Oblong.	Splendid.
1	a. m.								
	p. m.								
2	a. m.								
	p. m.								
3	a. m.								
	p. m.								
4	a. m.			9.15					
	p. m.	6.30							4.15
5	a. m.		4.00	6.10					
	p. m.	5.15			9.30				
6	a. m.			1.15		3.30			
	p. m.	5.10	11.30	4.15					
7	a. m.								
	p. m.	2.30					5.15		
8	a. m.								
	p. m.	4.30					6.30		
9	a. m.						11.15		
	p. m.	3.00		1.00					3.30
10	a. m.								
	p. m.						4.30		
11	a. m.			4.00					
	p. m.	3.15		9.15	6.30				
12	a. m.						8.20		9.15
	p. m.	4.15							1.30
13	a. m.			9.15					7.30
	p. m.	5.10							6.30
14	a. m.						5.30		12.30
	p. m.	3.45		8.30					8.00
15	a. m.						7.15		
	p. m.	4.50					5.00		
16	a. m.			11.30					
	p. m.	7.30							
17	a. m.	9.15							
	p. m.			11.45			6.30		
18	a. m.				8.30	11.30			
	p. m.			5.45					6.30
19	a. m.		5.30	8.45			6.30		9.30
	p. m.	6.30	4.00						7.00
20	a. m.		7.30				7.00		
	p. m.	5.00	5.30						
21	a. m.						7.30		11.30
	p. m.	6.15		12.15					
22	a. m.								
	p. m.	7.00							
23	a. m.			4.30					
	p. m.	5.15							7.30
24	a. m.			4.00			7.00		6.45
	p. m.	4.00			2.30				1.30
25	a. m.			8.30			7.15		7.15
	p. m.	5.30							
26	a. m.			5.30			6.30		
	p. m.	6.00	5.30						2.30
27	a. m.						7.15		10.30
	p. m.	5.00		12.30					
28	a. m.						6.00		
	p. m.	3.45							
29	a. m.	7.15		8.45					11.45
	p. m.				2.30				
30	a. m.						9.00		9.30
	p. m.	8.30							

REPORT

OF THE

ACTING SUPERINTENDENT OF THE YOSEMITE NATIONAL PARK.

DEPARTMENT OF THE INTERIOR,
YOSEMITE NATIONAL PARK,
OFFICE OF SUPERINTENDENT,
Wawona, Cal., August 22, 1895.

SIR: In compliance with instructions contained in your letter of July 1, I have the honor to submit the following report of the condition of affairs in the Yosemite National Park:

Under the provisions of Special Orders, No. 58, headquarters Department of California, May 2, 1895, designating Troop K, Fourth Cavalry, for duty in this park in 1895, I reported to you by letter, and was directed to carry out the regulations laid down by the Interior Department, and to be guided by such additional instructions as had been from time to time given to my predecessors.

The troop left the Presidio May 9 and arrived here May 21, thus giving time to the men to get camp well established before May 25, the date prescribed for the arrival of the troop.

It became apparent soon after the arrival of the troop here that there was a general idea that the enforcement of the law against trespassing was going to be very lax this year, and that the Government was not going to protect its rights in the park. I wrote to you reporting the condition of affairs, making certain recommendations, and asking for definite instructions on questions that seemed never to have been settled. Your reply so strongly supported the views expressed by me that I sent to most of the postmasters in and near the park a circular letter containing many extracts from your letter, and requested each of them to put this circular letter in a conspicuous place in his office in order that the innocent tourist and the deliberate trespasser might know what to expect. This has made clear to all the fact that the Interior Department is in earnest, and there has been a sincere effort made by all the officers on duty here to show that the duties of the troops stationed here are not performed in a perfunctory manner, but in such a way as to make trespassing an unprofitable thing.

Without waiting to receive your reply to my letter, I began sending out details to patrol the park. Every detail so sent out has been under a commissioned officer. A detail sent out to make the Tioga road passable for mounted parties and lightly loaded wagons was under a noncommissioned officer, as were also several others sent to accompany stock entering or leaving the park under permits issued to their owners, patentees, or lessees of land in the park.

At the southeastern corner of the park the snow disappears quite early in the season, and sheep men have always driven their stock in there, as the deep snow between there and the rest of the park makes it difficult or impossible to get there from this side. On May 25 a detachment was sent out to try to reach that district, but returned on the third day, having encountered 16 feet of snow, which was just beginning to melt and was therefore impassable. On May 30 another detachment was sent by another route to try to get through, but it returned in five days, having been unable to do so. Later in June another detachment, under Lieutenant McClure, got through. The sheep had by that time left the extreme southeast corner, but Lieutenant McClure got into the Shadow Lake country nearly two weeks earlier than patrols had ever got there before and captured two bands of sheep and five herders. As is done in all cases of this kind, the sheep were driven off the park, they having been found about 2 miles inside the line, and the herders were brought here, when they were admonished never to return to the park with sheep, and were then released.

Two detachments have since then been through that part of the park without finding any sheep, although there were evidences of their having been a short distance within the boundaries of the park. The great trouble is that the sheep men know the country thoroughly. They band together and hire men who act as scouts, and from commanding points watch the trails. When troops are seen they give warning, and the sheep, which are just inside the line, are driven out. With the small force kept here (I have only 46 horses), it is very difficult to keep out the sheep; but we can make them stay very close to the boundary. A detail under Lieutenant Smedberg has just returned, after scouting a region where sheep are said to have almost always been held, and where it is stated that no troops have ever been before. He found a band of sheep and arrested the herders. Lieutenant McClure has found a new route into the region near Mount Lyell, and has succeeded in surprising two bands of sheep and capturing the herders. It is said that no troops had ever patrolled there before. The patrols have been sent out so frequently that sheep men are afraid to go far in, except those who drove over the snow to places heretofore not visited by troops. Efforts are being made to find all such places.

On May 25 a detachment was sent out to go to the Hetch-Hetchy Valley. It got as far as the Hog Ranch, when a heavy snowstorm checked its further progress. On June 3 a detachment went to the southwest corner of the park and up to the Merced River, through a region where practically all the land is patented. It then went by the Yosemite Valley to Hazel Green, near which place a band of sheep and three herders were captured. That country and the country up to Till Till Valley have since been covered by numerous detachments.

Within the last month Lieutenant Benson has been out constantly, except two days. He has scouted the northern townships of the park. Since the park has been established only two detachments had ever been through any of the country visited by him, and some of it had never been visited by troops. By driving out over 20,000 sheep and capturing 15 herders he has done much to cripple the industry of sheep grazing in that district. It is hoped that by keeping the park thoroughly patrolled serious depredations may be prevented.

Special mention should be made of the faithful and efficient manner in which much hard work has been done by Lieutenants Benson, McClure, and Smedberg. Much of the sheep country is so rough that it is impossible or unadvisable to take horses into it. In such cases

they have established a camp, and then scouted the country on foot. They have performed their duty cheerfully and well, and are always eager for hard work.

Lieutenant McClure, who was on duty in the park last year, prepared an excellent map of it, which has been of great service to detachments on duty in the park. It is a good map to travel by, and is very accurate. Notes taken by him and by other officers will enable him to correct the few inaccuracies now existing in the map. The map is the result of much hard labor on the part of Lieutenant McClure, to whom great credit is due. A copy of the map is herewith submitted.

The comparatively small number of cattle in the park are in the western part. As a rule the owners are Americans who take an interest and pride in the natural beauties of this part of the country. Cattle do comparatively little damage, and they are in most cases kept by the owners on lands owned or leased by them. Some of the cattle owners expressed themselves as believing that they ought to be allowed to graze their cattle anywhere in the mountains. Measures were adopted making it rather risky for a cattle owner to graze his cattle except on his own land, and in consequence of these measures two owners who have heretofore given considerable trouble have asked for escorts to accompany their cattle to the line, saying that they could not keep them in the park if restricted to their own lands. In another case, two partners who have always given trouble, and who acted in defiance of the regulations, have been compelled to keep their cattle inside their fence. They had fenced certain land not owned by them, and have received orders to move the fence to the proper lines before August 15.

The amount of game in the park is said to be increasing. The difficulty of catching persons having and using firearms is great, owing to the fact that there are so many ways of entering and leaving the park. A few good examples would be very beneficial. It is not believed that much game is killed.

The California Fish Commission sent in here early in June 30,000 Eastern trout, which were put in streams by Mr. Fletcher, a deputy of the fish commission, assisted by a detail, and using pack mules from this camp. The fish commission also established a hatchery near here, and I have been able with men and animals to assist Mr. Fletcher in stocking many of the streams in the park with trout. In a few years trout should be plentiful in most of the streams and lakes in the park.

I am unable to concur in the recommendations of my predecessors as to cutting down the size of this park. Township 4, section 19 east, and that part of township 3, section 19 east, south of the Merced River, being almost all patented lands, much of which is used for mining purposes, might be left out without much injury to the park. The Devil's Post Piles, in the southeastern part, constitute in themselves a good reason for not cutting that country off the park.

The country north of the Tuolumne River should also be kept. If that is cut off trespassers would come right up to the new line and would cross it whenever an opportunity offered.

The only published regulations for the government of the park were issued a few days after the passage of the act creating it, and are in need of modification and addition. In their present form they leave the well-meaning visitor to the park in doubt as to what he should or should not do, and gives the willful lawbreaker a plausible excuse for his wrongdoings.

I therefore recommend that to paragraph 5 be added the following clause:

All persons entering the park will leave outside the park, or in charge of the acting superintendent, such firearms, traps, nets, tackle, or appliances as they may have in their possession. Any person who shall violate this paragraph shall be expelled from the park.

It is also recommended that the number of paragraph 8 be changed to 9, and that the following paragraph be inserted after paragraph 7:

8. Persons who own or lease patented land within the park and who wish to graze cattle, sheep, or horses on such land, and to drive their stock through the park to or from such land, must do so under the supervision of the acting superintendent, who will send an escort to see that no trespass is committed in driving stock to or from such land. The acting superintendent will require the owners of patented lands or their lessees, before taking any steps to drive their stock to such lands, to file with him satisfactory evidence of title thereto, and have the lands properly surveyed and the metes and bounds thereof properly marked and the land fenced. Any stock found off the land on which it is authorized to be will be driven off the park.

As the law now stands there is no penalty for trespassing in the park, and the only thing that can be done is to expel the offender at a point selected by the superintendent. It is of the utmost importance that a law should be passed prescribing a penalty of fine or confinement, or both, for trespassing. One or two trials and convictions under such a law would constitute an object lesson which would lessen by 50 per cent the difficulty of guarding this park. A great majority of the sheep herders, the most numerous and annoying class of trespassers, are Portuguese and Frenchmen of the lowest order of intelligence. They are lawless, and have absolutely no respect for a law for violating which there is no penalty. Under the influence of fear and force they are as meek a lot of villains as ever stole Government grass, and the knowledge that a few of their kind had gone to prison for trespassing on the park would keep most of them outside its borders. There should also be a fine imposed on the owners of sheep found on the park; the same to be paid before the owners are allowed to recover possession of their stock.

Some steps should be taken by the Government to acquire title to all the patented agricultural, and timber lands within the borders of the park. This subject has been thoroughly covered by Captain Wood and Captain Gale, and I fully concur in their recommendations. In order to have a properly conducted park the Government must have undivided ownership and control of all the land.

A complete survey of the park should be made, the lines should be blazed, and signs put up at points where roads or important trails cross the line. Occasionally an innocent person is guilty of trespass on the park, owing to ignorance of the lines. The sheep herders who come in all know where the limits of the park are, but they boldly claim ignorance.

I have spent nearly a month in traveling through the park, having been over all except the northeastern corner and part of the northern line of townships. The above recommendations are based on my own personal observation and that of the officers on duty with me.

Very respectfully, your obedient servant,

ALEX. RODGERS,
Captain Fourth Cavalry,
Acting Superintendent Yosemite National Park.

The SECRETARY OF THE INTERIOR.

REPORT

OF THE

ACTING SUPERINTENDENT OF THE SEQUOIA AND GENERAL GRANT NATIONAL PARKS.

CAMP AT MINERAL KING, CAL.,
September 1, 1895.

SIR: In compliance with letter of request dated July 1, 1895, I have the honor to submit the following report of the condition of affairs and of the management of the Sequoia and General Grant National Parks from the day of my assumption of duty as acting superintendent up to the present:

The command, consisting of Troop I, Fourth Cavalry, provided with the necessary transportation and supplies, reached Carter's ranch, near Three Rivers, Cal., on the 23d day of May last. The road to Mineral King not yet being open and the streams being found too high to cross, the command remained in camp until the 29th, when it moved 6 miles up the Kaweah River and established camp at Red Hill.

Scouts were at once dispatched to test the routes of travel to the usual permanent camps. As a result of their reports a detail consisting of Sergeant Soyer and three men was sent to General Grant National Park, with orders to establish camp and carry out the rules and regulations issued for its guidance by the Interior Department.

On June 4 Lieutenant Carson, with a detachment, was sent to Halstead Meadows, with instructions to locate camp and patrol the northern sections of the Sequoia Park.

A party was also started to Hockett Meadows, up the South Fork of the Kaweah, but could not get through, owing to high water.

The transportation was kept busy supplying the camps at Grant Park and Halstead Meadows.

The troop remained in camp at Red Hill until July 10, when, the road being practicable, it started to Mineral King. This place was reached and camp established next day.

On the 13th I started with a detachment, and marching by way of Quinn's Horse Camp reached Hockett Meadows on the 14th. A party consisting of Sergeant Singer and three men having been established, I returned to camp on the 15th.

On July 22, with Lieutenant Nolan as guide and a detail of ten men, I set out to make the rounds of the park in order to familiarize myself with its limits and conditions. We marched by way of the Atwells Mill trail to Giant Forest and Halstead Meadows, thence to Grant Park, returning by way of Eshom Valley to Three Rivers, thence up the South Fork to Hockett Meadows, getting back to our camp at Mineral King on the 30th.

The total distance covered during this trip was 180 miles over some of the roughest and most difficult country it has ever been my experi-

ence to travel. From the appearance of the country it is evident that the sheep men moved their herds within the park as soon as it was evacuated by the troops last fall.

Such open and shameless defiance of the law should not be tolerated by the Government. The names of these men can be ascertained and witnesses obtained. It would be a wise act to bring them to trial. Just one trial and conviction would have more effect on these law breakers than all the proclamations which could be issued in a lifetime.

If I am permitted to remain in charge of the parks until about December 1 I think I can at least prevent a recurrence of this lawlessness.

The parks have been kept practically free from invasion up to the present. Some parties have been arrested and ejected and some cattle driven out, but no harm has been done the reservation.

I found the underbrush on fire near Grant Park, but the detail was able by hard work to exclude it from the park limits. This fire had been started by sheep herders.

Although the park has been kept free from the invasions of these vandals, the whole Forest Reserve has been overrun, and in open disregard of the Secretary's proclamations.

As has been pointed out before in reports of my predecessors, these sheep men are mostly foreigners, who skillfully avoid paying taxes and care no more for the Secretary's proclamation than they would for a Fourth of July oration.

If these men are not made to feel the strong right arm of the law it would be a most wise and excellent plan to put the Forest Reserve on the same status and issue to the troops the same rules and regulations for its preservation as now apply to the parks.

The recommendation of my predecessor, Captain Parker, that a guardian be appointed for the protection of the parks during the late fall and winter is one in which I most earnestly concur. The usefulness of such an agent is too apparent to need recommendation.

I concur also in the following recommendations:

1. That the boundaries of the parks be surveyed and marked.
2. That a wire fence be put about Grant Park.
3. That all claims to land within the parks be settled.

The reports of Lieutenant Carson, Assistant Surgeon Flagg, and the two noncommissioned officers in charge at Grant Park and Hockett Meadows, respectively, are appended hereto.

Very respectfully, your obedient servant,

J. LOCKETT,
Captain, Fourth Cavalry, Acting Superintendent General Grant and Sequoia National Parks.

The SECRETARY OF THE INTERIOR,
Washington, D. C.

REPORT OF SECOND LIEUT. THOMAS G. CARSON, FOURTH CAVALRY.

CAMP AT HALSTEAD MEADOWS,
Sequoia National Park, Cal., August 15, 1895.

SIR: In compliance with instructions, I have the honor to submit the following report:

On June 4 I left the main camp at Red Hill with a detachment of one noncommissioned officer, four privates, two packers, and ten pack mules, with about seven

days' supplies, for the purpose of patrolling the two northern townships of the park, and also to determine the suitability of Halstead Meadows as a permanent camp for a small detachment.

I proceeded up what is known as the Old Colony Sawmill Road as far as Maple Canyon, where I camped the first night. This road scarcely deserves the name of road now, as it is washed out in so many places that it would require a great deal of work to make a wagon road of it. But it is an excellent trail for pack animals, there being plenty of grazing and water all the way from the line to the Meadows. I arrived at Halstead Meadows about noon on the 5th of June. I found good grass and in sufficient quantities to graze about fifteen horses during the entire summer. The snow had almost all disappeared, with only a small patch here and there remaining.

No sheep or cattle had been in this place this year, but several thousand sheep had run over this country for an indefinite time after the detachment left last year. The herders had used this same place for their camp, and had burned all the bunks, tent floors, and grain shed left by the detachment of last year.

I scouted the park around Mount Silliman and along the north line during the next few days, and found that it was yet too early in the season for sheep and cattle to get up so high. On my application a detachment of one noncommissioned officer and nine privates was sent up to me, and I established my camp on the 9th.

I kept up the patrols of the park to the north and east almost daily, as I found that at this season stock could only enter the park from those directions. The highlands on the east side of the park were covered with snow, and that portion required very little attention during the month of June; but the north line, from Mount Silliman to Big Baldy, was free of snow, and bands of sheep began coming into the Forest Reserve, north of the park, early in June.

On June 9 a band of about 4,000 sheep was seen 2 miles north of the line and working directly toward the park. They belonged to two brothers named Hartwick, of Tulare, Cal. They were warned to keep away, but slipped in for about a quarter of a mile and then drove over toward Kings River. But they came back a few days later and grazed along the north line for the balance of the month. They kept outside the park and near enough to drive in for a day's grazing at the first opportunity. It was only by constantly patrolling that they were kept out. All the sheep and cattle men in these mountains care nothing for posters or the law, and nothing but force keeps them out of the park.

The four northern townships are well stocked with game—bear, deer, grouse, and mountain quail—but up to date I have not seen the sign of a single hunter.

About the last of June I visited the main camp for two days, returning on the 1st of July. I found several bands of sheep had appeared a few miles north of the park. These sheep are owned by Roberts, Martin, and Hartwick, all men who live in Tulare. On the 3d, 4th, and 5th I took a detail and visited General Grant National Park, about 6 miles northeast of this park. I found the country between the two parks entirely bare, having been eaten off by sheep. This is all Forest Reserve land.

On the 7th of July a detail sent out by me to Big Baldy found a band of sheep(2,000) about a mile inside the park. These sheep were branded with an "M" and belonged to a man named Martin, of Tulare, Cal. This man has two herders—a Frenchman and a Portuguese—but the detail could see nothing of them or their dogs. They were evidently in hiding and watching the movements of the soldiers. The sheep were driven out of the park, and they were afterwards seen about 2 miles north in charge of the herders, who made no attempt to conceal themselves at that time.

July 15 I took a detail along the north line, visited some camps outside the park, and then came down south of Mount Silliman. I caught Mr. Martin, owner of sheep mentioned above, near the middle of the park, with two horses and complete camping outfit. He had some provisions and was traveling in the direction of the head waters of the Marble Fork. He could give no good reason for being in the park; in fact, he gave several reasons which contradicted each other, so I arrested him and took him to my camp. I was satisfied he was going before to spy out a way for his sheep over the good grazing on the east line, and this conclusion was verified the next day when I found his sheep near the line and apparently preparing to follow him. I sent him to the main camp at Mineral King to be ejected from the park. His sheep had given us much trouble before, but after his capture they have been content to keep away from the park.

During the summer I was not troubled with cattle until August 1, when I found a bunch of about thirty to thirty-five near Dorst Creek. These I had driven into the corral at my camp, but as we could not determine the owner we drove them out of the park on the Mount Silliman side. I am satisfied these cattle were driven into the park. The nearest ranch is 10 miles distant, and cattle would not stray so far when there is good grazing in the other directions and none at all between this and the ranch.

During the last two weeks of July I found that all sheep and cattle near and around the park had been driven farther back, to the Kings River country.

Since it is impossible to herd in the park while troops are at Halstead Meadows, the sheep herders drive past the park and seem to consider it a sort of reserve, a place where they can graze for a week or two during the Indian summer on their way to the valley, and after the troops have been withdrawn.

I think Halstead Meadows is the best place in the northern townships for the encampment of a detachment. It is necessary to have a detachment hereabouts to enforce the park regulations, and Halstead Meadows is very convenient for supplies and for guarding that point of the park most usually overrun.

I am convinced that we shall have no trouble keeping sheep and cattle out until October and November, when the large herds back in the mountains begin to move toward the valley.

August 4 I left my camp for the purpose of visiting the main camp at Mineral King, Cal., arriving there August 6.

Very respectfully, your obedient servant,

THOS. G. CARSON,
Second Lieutenant, Fourth Cavalry.

The ACTING SUPERINTENDENT SEQUOIA NATIONAL PARK.

REPORT OF FIRST LIEUT. C. E. B. FLAGG, ASSISTANT SURGEON, UNITED STATES ARMY.

CAMP AT MINERAL KING, CAL.,
August 18, 1895.

SIR: I have the honor to submit the following report on the condition of the Sequoia National Park as bearing on its salubrity:

Differences in altitude in the park (from 1,000 to 12,600 feet) allow corresponding differences of climate. There are no sudden changes of temperature, except between day and night. The chief similarity of the climate of the different altitudes is the small amount of rain and snow fall between June and October.

From May 28 to July 15, while the main camp of Troop I was at Red Hill, 1¼ miles from the park, at an elevation of 1,060 feet, the average temperature was high, ranging from 18½° C. at night to 48½° C. in the day. The latter temperature was reached once in a soldier's tent in the line with the others. In the hospital tent, over which a fly was spread, the temperature was 4½° C. lower, and immediately on the banks of the Kaweah River lower still. The river water ranged from 14½° C. to 18½° C. The amount of moisture in the air was small.

From July 16 to the present time (August 18) at the main camp near Mineral King (altitude, 8,000 feet), about 1 mile from the park, the temperature has ranged between 0° C. and 24° C., the average temperature during the day being 21° C. or below. The air is moderately moist, heavy dews or frosts occurring nightly. There are occasional showers. Snow is perennial on the surrounding hills at a short distance from camp.

Springs containing carbon dioxide, iron, and other minerals abound in the park. In the lower altitudes of the park is a luxuriant growth of poison oak, which was a constant source of annoyance at Red Hill. Here rattlesnakes are numerous. Water throughout the park is abundant, pure, and cool.

At Red Hill there was one case of diarrhea on sick report and there were thirty others requiring medicine, but not incapacitated for duty. Intense heat was undoubtedly the cause of the trouble.

At Mineral King one case of pneumonitis has occurred. In the detachments sent out to patrol the park and at the subcamps there has been no sickness ascribable to climatic conditions. The sanitary condition of the camps has been exceptionally good.

Under the present conditions of roads, transportation, and lack of suitable hotel accommodations the park is better suited to those of robust constitution than to invalids, although the higher portions possess the necessary requisites for certain selected cases.

Very respectfully, your obedient servant,

CHAS. E. B. FLAGG,
First Lieut. and Assistant Surgeon, U. S. A.

The ACTING SUPERINTENDENT SEQUOIA NATIONAL PARK.

REPORT OF SERGT. GEORGE A. SOYER, TROOP I, FOURTH CAVALRY.

GENERAL GRANT NATIONAL PARK, CAL.,
August 14, 1895.

SIR: I respectfully report as follows in regard to the General Grant National Park and the detachment stationed there:

I left camp near Red Hill June 1 en route to the General Grant National Park with a detachment of three privates; arrived there and established camp on June 4. Total distance traveled, 61 miles. I started in to patrol the park next morning, keeping one man on patrol besides myself every day since.

The park covers an area of about 4 square miles and is very much frequented by tourists on their way to Kings Rivers Canyon. These people were not allowed to camp or fish within the park limits except with special permission from the superintendent.

Special care was taken that nothing should happen to the big tree grove standing in the park.

Sheep did not go through the park up to the date of this report, all the herders having been warned beforehand.

On July 19 nineteen head of cattle were found within the park limits by the patrol. I notified the owner, Mr. Arche, who took them outside the park and promised to be more careful.

On August 4 some horses belonging to Mr. Burns strayed into the park and were driven out.

On July 24 a fire occurred on the western line of the park, and was extinguished by myself and detail after nine hours' work. The fire originated through the carelessness of some trespasser, and did very little damage.

The lakes and streams within the park contain an abundance of fish. There is no big game.

Grass on meadows is plentiful.

The park lines are very indistinct, and in some places hardly to be found.

It is respectfully recommended to have the park resurveyed and the boundary lines blazed plainly.

The salubrity of the camp is excellent and the health of the detachment was accordingly.

The conduct of the men was excellent, and the duty intrusted to them was well performed.

Very respectfully, GEORGE A. SOYER,
Sergeant, Troop I, Fourth Cavalry, in Charge of Detachment.

The ACTING SUPERINTENDENT GENERAL GRANT NATIONAL PARK.

REPORT OF SERGT. PAUL SINGER, TROOP I, FOURTH CAVALRY.

CAMP AT HOCKETT MEADOWS,
Sequoia National Park, Cal., September 1, 1895.

SIR: On July 14 a permanent camp was established at this place for a small detachment, consisting of one noncommissioned officer and three privates, to patrol this part of the Sequoia Park and carry out the instructions of the acting superintendent.

Two men are detailed on patrol every day since and they scout in different directions.

No sheep passed through this part of the park so far. Tourists were allowed to cross and camp in the park with special permission of the superintendent only. No fires occurred within the park limits up to this date.

A man by the name of Martin, who had been arrested at Halstead Meadows by Lieutenant Carson, was turned over to me on July 19, with orders to put him outside of the park limits. Next day this man was escorted out of the park and released at Pates Valley.

On July 25 a party was discovered by the patrol in camp at the Milk ranch within the park.

The party consisted of three men, with six horses and complete camping outfit. One of the party went to Mineral King to get a permit from Captain Lockett, while I left one of my men with the rest of the party to prevent any hunting. Next day the man returned from Mineral King without a permit, and the whole party was escorted outside of the park limits.

On July 29 the acting superintendent arrived here on a tour of inspection of the different detachments and left for the main camp next day.

No cattle were found within the park limits up to August 26, when five head were found by the patrol and driven out of the park.

Big game (bear and deer) is numerous. The fish in the creeks and lakes are in abundance. Grass on meadows is plentiful.

The boundary lines of the park can hardly be traced, and it is recommended to have them blazed plainly.

The health of the men is excellent.

Very respectfully,

PAUL SINGER,
Sergeant, Troop I, Fourth Cavalry, in Charge of Detachment.

The ACTING SUPERINTENDENT SEQUOIA NATIONAL PARK.

REPORT

REGARDING

THE RECEIPT, DISTRIBUTION, AND SALE OF PUBLIC DOCUMENTS.

DEPARTMENT OF THE INTERIOR,
Washington, November 15, 1895.

SIR: When the last report of this office relative to the distribution of public documents was made, it was expected that much of the work connected with this branch of the public service would at an early day be transferred to the office of Superintendent of Documents, Government Printing Office, in compliance with the provisions of an act of Congress approved January 12, 1895. It was, however, found impracticable, for reasons hereinafter stated, to make this transfer prior to July 1. The work of distributing documents to depositories was therefore continued by this Department to the close of the fiscal year 1894–95.

During said year the following publications were received by the Department for distribution on behalf of the Government, viz:

The journals, executive documents, miscellaneous documents, and reports of the two Houses of Congress, bound in leather; the reports of the Secretary of the Interior and of the subordinate officers of the Department; the reports of the Supreme Court; the reports of the Eleventh Census; publications of the Geological Survey; Compiled Statutes in Force in the District of Columbia.

CONGRESSIONAL DOCUMENTS.

Of these publications there were received as follows:

Senate Journals	435
Senate executive documents	4,840
Senate miscellaneous documents	5,260
Senate reports	4,200
House Journals	435
House executive documents	16,450
House miscellaneous documents	24,668
House reports	7,990
Total	64,278

being 420 of each Senate publication and 470 of each House publication delivered, excepting the Journals, of which 435 copies were received.

These documents have been distributed as follows: To each State and Territorial library, one set; to the several institutions of each State

and Territory which have been designated as depositories of public documents, in accordance with the provisions of section 501 of the Revised Statutes, one set each.

REPORTS OF THE DEPARTMENT AND MISCELLANEOUS DOCUMENTS.

Of the reports of the Secretary of the Interior and of the several subordinate officers of the Department, and of other miscellaneous publications of the Government, 66,483 were received. Many of these documents are in pamphlet form. All were issued for the official use of the Department and its several bureaus, and for their discretionary distribution.

In addition there were received 1,107 volumes of decisions of the Department relating to public lands, which were published exclusively for official use and for sale.

By joint resolution approved February 8, 1895, the printing of additional copies of volumes 13 to 19, Land Decisions, and volumes 6 to 9, Pension Decisions, is authorized. By the same resolution the Secretary of the Interior is directed to distribute these volumes, together with the prior volumes of the two series, to depositories of public documents, the remainder of the edition being reserved for sale and for official use. Volumes 1 to 12, Land Decisions, and 1 to 5, Pension Decisions, have already been transmitted to depositories. The remaining volumes will be forwarded through the office of Superintendent of Documents.

In this connection it may be stated that the reports of the Secretary of the Interior were indexed this year for the first time in this division, and that volumes 1 and 2 were published prior to volume 3 of the preceding year as a result of the promptness with which the indexing was accomplished.

THE ELEVENTH CENSUS.

By act of Congress approved February 23, 1893, the whole of the cloth-bound edition of the reports of the Census of 1890 was made distributable by this Department, chiefly upon the orders of Senators and Representatives.

Of this series of publications there were received during the last year as follows:

The Compendium:	
Part 1	677
Part 2	23,535
The Abstract	99,590
Final volumes:	
Report on the Population and Resources of Alaska	329
Report on Insurance, Part 1	10,014
Report on Indians	9,840
Report on Churches	9,987
Report on Population, Part 1	22,570
Report on Transportation, Part 2	10,000
Report on Vital Statistics, Part 3	9,422
Monographs:	
Vital Statistics of New York and Brooklyn	2,907
Agriculture by Irrigation in the Western Part of the United States	2,974
Vital Statistics of Boston and Philadelphia	2,998

These volumes have been distributed as far as orders to this effect have been received from those entitled to direct such distribution. The report on Valuation and Taxation has been issued since July 1.

It is understood that the remaining reports of the series are either being printed or are ready for the press and that they will be published as rapidly as possible. As they will number from sixteen to twenty volumes, it is not probable that they will all be ready for distribution for a year or more.

SUPREME COURT REPORTS.

Three hundred and seventy-six copies each of volumes 153 to 156 of United States Reports were received from the reporter of the Supreme Court during the year, which were distributed in accordance with the provisions of section 683 of the Revised Statutes and of an act of Congress approved February 12, 1889.

Attention is again called to the importance of some provision of law for completing sets of these reports in the hands of United States judges and of officers of the Government, whose duties involve their frequent use. Appeals continue to be made to this Department for missing volumes, which can not be supplied because of lack of appropriation for their purchase. Adequate provision for this object ought to be made by Congress without further delay.

PUBLICATIONS OF THE GEOLOGICAL SURVEY.

Of these, 7,200 copies of folios of the Geological Atlas of the United States, 1,600 copies of monographs, 800 copies of report on Mineral Resources, 1893, and 4,800 copies of bulletins were received. These have been distributed to libraries entitled to receive them under the provisions of an act of Congress approved March 3, 1887.

COMPILED STATUTES IN FORCE IN THE DISTRICT OF COLUMBIA.

By the provisions of an act of Congress approved March 2, 1895, the Public Printer is "directed to deliver to the Secretary of the Interior the 5,000 copies of the Compilation of the Statutes in Force in the District of Columbia, recently completed by William Stone Abert," of which the Secretary of the Interior is directed to distribute 245 copies for official use and authorized to sell the remainder at $3.75 per copy. The Department has received from the Public Printer the entire edition of this work, and has distributed those intended for official use. It has sold 164 copies. It is evident that a much smaller edition would have been sufficient to meet all legitimate demands. It is one more instance of the policy which largely obtains of printing a much greater number of a document than is required for any practicable purpose, one result of which is a large accumulation of surplus Government publications which ultimately find their way to the waste-paper heap.

In this case it is recommended that 500 copies of the Compiled Statutes be delivered to the Superintendent of Documents for distribution to depositories of public documents, and that one copy be delivered to each Senator, Representative, and Delegate of the Fifty-fourth Congress.

It is also recommended that the price of the volume be reduced to $2.50, which will approximate the price at which other similar publications of the Government are sold.

SALE OF PUBLIC DOCUMENTS.

The following statement shows the number and price of the several documents sold under the provisions of a joint resolution approved March 3, 1887, authorizing the Secretary of the Interior to sell at cost any publications of the Government available for this purpose:

Publication.	Copies.	Price per copy.	Total.
Official Register of the United States, 1893:			
Volume 1	16	$1.50	$24.00
Volume 2	18	1.80	23.40
Land Decisions:			
Volume 1	16	1.05	16.80
Volume 2	18	1.15	20.70
Volume 3	16	1.07	17.12
Volume 4	16	1.15	18.40
Volume 5	16	1.05	16.80
Volume 6	17	1.45	24.65
Volume 7	16	1.10	17.60
Volume 8	17	1.16	19.72
Volume 9	19	1.15	21.85
Volume 10	18	1.15	20.70
Volume 11	24	1.10	26.40
Volume 12	24	1.15	27.60
Volume 13	1	1.15	1.15
Volume 14	1	1.15	1.15
Volume 15	37	1.05	38.85
Volume 16	50	1.05	52.50
Volume 17	77	1.05	80.85
Volume 18	168	1.05	176.40
Volume 19	116	1.05	121.80
Volume 18, signatures, unbound	2	1.00	2.00
Volume 19, signatures, unbound	113	1.00	113.00
Volume 20, signatures, unbound	92	1.00	92.00
Volume 21, signatures, unbound	1	1.00	1.00
Digest of Volumes 1 to 10	1	1.00	1.00
Digest of Volumes 1 to 16	63	1.15	72.45
Pension Decisions:			
Volume 1	1	1.10	1.10
Volume 2	2	1.00	2.00
Volume 3	3	1.00	3.00
Volume 4	4	1.10	4.40
Volume 5	9	.85	7.65
Volume 6	14	.95	13.30
Volume 7, signatures, unbound	13	1.00	13.00
Digest	39	.25	9.75
Report of the Public Lands Commission:			
Sets of 3 volumes (cloth)	1	1.32	1.32
Sets of 4 volumes (leather)	1	4.00	4.00
Reports of the Tenth Census:			
Final volumes—			
Cotton Production, Part 1	1	1.30	1.30
Cotton Production, Part 2	1	1.30	1.30
Forest Trees of North America, and portfolio of maps	14	2.00	28.00
Petroleum, Coke, and Building Stones	4	1.75	7.00
Mining Laws of the United States	1	1.10	1.10
Water Power of the United States, Part 1	11	1.25	13.75
Water Power of the United States, Part 2	11	1.00	11.00
Power and Machinery employed in Manufactures, Engines, etc	1	.85	.85
Monographs:			
Seal Islands of Alaska	2	.25	.50
Population and Resources of Alaska	1	.40	.40
Reports of the Eleventh Census:			
The Compendium, Part 1	11	1.15	12.65
The Compendium, Part 2	7	1.10	7.70
The Abstract	4	.25	1.00
Final volumes:			
Mineral Industries	7	1.50	10.50
Population and Resources of Alaska	8	1.15	9.20
Fire Insurance	3	1.00	3.00
Indians in the United States	1	2.35	2.35
Statistics of Churches	1	1.10	1.10
Monographs:			
Vital Statistics of District of Columbia and Baltimore	1	.70	.70
Education in the United States	1	.45	.45
Electrical Industries in New York	1	.05	.05
Textile Industries	2	.50	1.00
Transportation on the Pacific Coast	1	.10	.10
Vital Statistics of New York and Brooklyn	1	1.15	1.15
Agriculture by Irrigation	26	.75	19.50
Bulletins:			
Moqui Pueblo Indians of New Mexico and Arizona	8	.50	4.00
The Cherokee Indians of North Carolina	1	.25	.25

Publication.	Copies.	Price per copy.	Total.
United States Geological and Geographical Survey of the Territories (Hayden):			
Annual Reports—			
1878 (cloth)	3	$3.52	$10.56
Monographs:			
Fresh Water Rhizopods	1	3.86	3.86
Miscellaneous:			
North American Pinnipeds	1	.60	.60
United States Geological Survey (Powell):			
Annual Reports—			
1881	1	1.80	1.80
1882	1	2.21	2.21
1883	1	1.32	1.32
1884	1	1.95	1.95
1885	1	1.67	1.67
1887	1	2.60	2.60
1889	1	2.80	2.80
Mineral Resources of the United States:			
1892	2	.50	1.00
1893	13	.50	6.50
Bulletins of the National Museum:			
Manual of American Land Shells	1	1.33	1.33
Revised Indian Treaties	3	2.75	8.25
Catalogue of Government Publications	1	1.90	1.90
Comprehensive Index of Government Publications	41	.75	30.75
The Growth of Industrial Art	24	2.00	48.00
Compiled Statutes in force in the District of Columbia	164	3.75	615.00
Register of Department of the Interior, 1894	2	.25	.50
United States map	51	1.25	63.75
State and Territorial maps	254	.17	43.18
Total			2,098.84

While several of the Departments and Bureaus of the Government will still continue to sell their own publications, the sale of public documents in general will hereafter be conducted by the Superintendent of Documents, Government Printing Office, who is authorized to sell any Government publication at cost. This provision, together with the fact that he will have in his charge a large collection of documents, will greatly promote the convenience of those who desire to purchase them.

EXCHANGE OF DOCUMENTS.

During the year 3,563 volumes of Government publications were received by the Department from libraries having them in duplicate, to be used for the benefit of other libraries. The total number of volumes received from all sources by this office since it undertook this clearing-house service in the interest of our public libraries is about 225,000. Of these about 24,000 were Congressional Globes and Records, the remainder miscellaneous publications of the Government, a large number being of the leather-bound Congressional series. The value of this interchange of documents among libraries can hardly be overestimated, as has been repeatedly evidenced by the testimony of librarians expressing their appreciation of the service rendered by the Department in this work.

Such of the publications received as remained undistributed at the date of the organization of the office of Superintendent of Documents, Government Printing Office, have been turned over to that officer, by whom the work of exchange will be continued. With the larger facilities at his command for handling documents, he will be able to render more efficient service in this as well as other directions than could be accomplished by this office with its limited accommodations and insufficient force.

THE NEW PRINTING LAW.

The bill regulating the printing and distribution of public documents, which had engaged the attention of two Congresses, finally passed both Houses, and was approved January 12, 1895. While in its passage several amendments were adopted which detract from the general excellence of the original bill, the act nevertheless embraces much in the way of new legislation which has long been earnestly desired by all who are interested in Government publications. These provisions are found especially in those sections which direct the preparation and publication of monthly catalogues and annual indexes; which add to the list of documents to be regularly supplied to "depositories" many publications to which they have not hitherto been entitled; which increase the number of libraries to which documents are sent; which authorize the sale at cost of all documents; which modify and simplify the classification of documents, and which impose upon the Public Printer the duty of giving precedence in binding to publications intended for distribution to public libraries.

There can be no doubt but that when these provisions are fully executed it will be found by all concerned that the results are eminently satisfactory. Those who have striven and waited so long for some reform in the directions indicated will, I think, be in large measure, if not altogether, satisfied. It is certainly a gratification to this office that its persistent recommendations are at length so fully embodied in law. The act in question does not, however, accomplish what it was hoped would be one result of new legislation, viz, reduction in expenditure for public printing.

Such reduction can never be achieved until Congress is willing greatly to curtail the number of documents published for general and indiscriminate distribution and to centralize and consolidate the whole work of their distribution so that this work can be conducted upon those business principles which are so strenuously demanded in other departments of the public service. So long as documents continue to be printed largely for complimentary distribution, and so long as a score or more of independent offices are maintained for the purpose of doing what could be better done by a single agency, so long will large sums of the public money be annually squandered in public printing.

By the appointment on the part of the Public Printer of a Superintendent of Documents on March 26, 1895, the office of Superintendent of Documents in this Department was abolished. When this appointment was made, however, no accommodations had been provided in the way of office and storage rooms for the transaction of the business of the new office or for the convenient reception and storage of the many thousands of documents which, under the provisions of the law, were to be transferred to it. Lacking these facilities, the Superintendent of Documents found it impossible to assume at once the work imposed upon him of receiving and distributing documents.

To avoid the inconvenience which would have necessarily attended the immediate closing of the office of Superintendent of Documents in this Department, an arrangement was effected by which this work should be continued by the Department until adequate provision could be made for its satisfactory transaction by the new office. This was not accomplished till the close of the fiscal year, at which time all responsibility on the part of this Department in the matter of the general distribution of documents terminated.

In the meantime the transfer of surplus Government publications in the care of this Department was being made as rapidly as the storage accommodations of the new office would permit, said transfer being required by the provisions of section 67 of the act of January 12. To date 126,523 volumes have been delivered to the Superintendent. These comprise chiefly the undistributed portion of documents received from public libraries and departments of the Government, and the surplusage of Congressional documents remaining after the authorized distribution to public depositories had been made. It is estimated that from 20,000 to 30,000 volumes still remain to be turned over to the Superintendent of Documents. This office has been ready and anxious since July 1 to deliver these, and has appealed to the Public Printer to receive them, as the room now occupied by them is required for other purposes. That officer, however, says in reply:

I am compelled to state my inability to meet the requirements of the law or your request in the removal of the books. This office has no room at its disposal which will permit their receipt and storage at my hands. When Congress assembles I will urge that fireproof accommodations be provided for the removal of the books, and I do not feel justified in recommending further legislation for their removal from a fireproof building until such fireproof accommodation is provided.

The position taken by the Public Printer effectually precludes the Department from fully complying with the provisions of the law, and obliges it to provide storage for the documents in question for an indefinite period. So far as I am informed "fireproof accommodations" for public documents have not been ordinarily required, either by act of Congress or in practice, nor does any obligation to provide such accommodations appear to be implied in that section of the law of January 12, 1895, which directs that "the Public Printer shall provide convenient office, storage, and distributing rooms for the use of the Superintendent of Documents."

CHECK LIST OF DOCUMENTS.

The new edition of the Check List referred to in my last report has been completed, bringing the several series of documents noted therein down to 1894. Inasmuch, however, as its chief utility will be found in connection with the work of the Superintendent of Documents, the "copy" for this list was turned over to that officer, by whom it will be published.

A new and, I think, an important feature of this List is the serial numbering of the Congressional documents, beginning with the Fifteenth Congress. By attaching to each volume of this series in the libraries possessing them the number given in the List, the simplest and therefore the most convenient plan for reference is provided. Any volume to be consulted can thus be quickly identified simply by the number it bears, and thus the necessity of scrutinizing its title and of examining perhaps several volumes before the right one is reached is altogether obviated. This plan has long been used in this Department. The old method would not now be tolerated.

It is not essential that a library possess the entire series in order to the utilization of this system. The proper numbers can be given to the several volumes it has, and to each volume thereafter secured, its own number as shown in the list. Another advantage resulting from the general adoption of this plan would be this, that in the correspondence of librarians with the Superintendent of Documents, or with each other, relative to any of this series of documents, it would suffice for its identification simply to use the number which the document bears,

a description of the volume by title and classification being unnecessary.

Furthermore, by attaching to each of the several volumes of departmental and bureau documents, an enumeration of which is given in the latter part of the Check List, the number given the same document as found in the leather-bound Congressional set, this latter part is transformed into a finding list, by which it is rendered possible instantly to determine where any of these departmental publications are to be found in the Congressional series. It is possible that in another edition of the Check List the proper numbers may be given these departmental reports, but for the present it is left to each librarian to do it for himself should he deem it worth the trouble.

COMPREHENSIVE INDEX.

Very soon after the publication of my last report the Comprehensive Index of Government Publications, 1889–1893, to which reference was made therein, was issued and distributed. This work was in a measure tentative. No similar effort had previously been made. It could hardly be expected that it would in every respect prove satisfactory to all, especially as in certain particulars the accepted rules of indexing were not strictly observed. To have done this would have rendered the volume on the whole less serviceable. The hearty welcome which was everywhere accorded the work, and the generous and appreciative commendations elicited from the press, from librarians, and from students of our public literature in all sections of the country, afford the best possible evidence of its practical value, and show that the Index in most respects fully meets the requirements of the case.

There is now a general desire that a similar index to all prior publications of the Government be prepared at the earliest practicable day. If an index covering only four years is found to be of such practical utility, one covering the whole period of Government history would prove almost invaluable. Nothing else would so greatly enhance the worth of public documents and increase their use, for such an index would be a key to unlock vast treasure-houses which hitherto have been inaccessible, and will continue to be so until the key is supplied. No more serviceable or economical expenditure, in view of the importance and value of the work, could be made than that which would be involved in the preparation and publication of such a general index.

As showing the estimate put upon the Comprehensive Index by those most competent to judge of its utility, and their views as to the importance and desirability of extending the index backward to cover the prior publications of the Government, a number of extracts from letters and from press notices are appended.

It is hardly possible to suggest an argument in support of adequate legislation for the preparation of a general index more conclusive than that which these excerpts afford. Others of a similar import might be given in large numbers, but these will suffice to indicate the general desire for the continuation of the work. Whether they represent the views of librarians, or officers of the Government, or professors in universities and colleges, or scientific investigators, or the press, they express but one opinion as to the value of such an index. They voice the conviction, almost universally entertained by students of our public documents, that such an index alone is needed to transform these documents from a heterogeneous mass of comparatively useless material into

a most valuable collection of historical, political, economic, and scientific literature, the convenient use of which would thus be made practicable and permanent.

If the publication of the Comprehensive Index for 1889–1893, in which you took so warm an interest, shall prove in any measure instrumental in the accomplishment of this vastly larger and more important work, the labor and expense involved in its preparation will be fully justified.

Very respectfully,

JOHN G. AMES,
Clerk in Charge of Documents.

Hon. HOKE SMITH,
Secretary of the Interior.

APPENDIX.

I believe the Index to be of great practical value, and I do not believe that a better system could be devised for an index of all other Government publications. The importance of an index is beyond estimate, and if the documents that are published by our Government at such enormous expense are to be of value to the general public, an index of the character of yours is essential. (Charles F. Manderson, United States Senator.)

Your Comprehensive Index to public documents is excellent in its plan and purpose. I sincerely hope that your painstaking and valuable labors may be speedily extended to include other lines of public records. (John T. Morgan, United States Senator.)

I think your Index to Congressional documents admirable. If we could have one comprising all the documents that have been published by the Government, we might almost stop the publication of such documents for a generation and devote ourselves to mastering the knowledge already at our command. (George F. Hoar, United States Senator.)

I think it an extremely valuable work and I am not able to see how the plan can be substantially improved. It would, I think, be of great value to the Government and people if all the public documents could be indexed in the same way. (Geo. F. Edmunds, ex-United States Senator.)

I take pleasure in highly commending the Index to public documents which you have prepared. The same kind of an index should be prepared in regard to all documents published by the Government. (Wm. M. Springer, Member of Congress.)

I am convinced that your Index of Government Publications is one of the most useful references of the kind ever prepared, and can not but be of great value to Members of Congress as well as to others. It seems to me the same system applied to the indexing of all Government publications would save an immense amount of valuable time to those who have occasion for research in these publications. (J. H. Walker, Member of Congress.)

I think the plan a good one, and that its future use is advisable. (W. L. Wilson, Member of Congress.)

Well done. (D. B. Henderson, Member of Congress.)

It is certainly as nearly perfect as seems possible to make it. (Case Broderick, M. C.)

The plan is splendid; it should be continued. (John Davis, M. C.)

I think an index upon this plan for all other Government publications should be prepared. The system adopted by you is a good one. (Charles H. Page, M. C.)

It is admirable. All public documents should be indexed on the same plan. (James A. D. Richards, Member of Congress.)

The plan of the Index seems a good one, if the detail is not too great; but as "posterity delights in details," I presume there will be little criticism upon this point. The practical utility of the Index must be great, and there can be little doubt of the desirability of applying the system to the indexing of all Government publications heretofore issued. (R. C. McCormick, M. C.)

The method pursued in this work is most desirable, and will be of the greatest practical utility. In the Department it will relieve both the chief and the subordinates of much useless inquiry. (John W. Noble, ex-Secretary of the Interior.)

This is a very meritorious piece of work, and very valuable for those who use Government publications. (John Eaton, ex-Commissioner of Education.)

I am very greatly pleased with the Comprehensive Index in every respect. It seems to me very desirable that a similar index of all publications be prepared and published. I congratulate you on your great success. (Carroll D. Wright, Commissioner of Labor.)

I find the Index to be an immensely valuable contribution toward promoting the easy use of our public documents. Such a work really gives many of the books issued by the Government an entirely new term of life—that is, after they have gone upon the shelves of libraries, and are otherwise forgotten or unused, your index will send scores and hundreds of investigators, writers, and public speakers to the libraries to consult the books. (Francis A. Walker, president Massachusetts Institute of Technology.)

It seems to me to be an altogether admirable publication, and a very great improvement upon any previous index. I sincerely wish a similar index of all other public documents could be prepared and published. (Theodore Roosevelt, Civil Service Commissioner.)

I have received and studied your Index, and am amazed. You have practically created a great national library. I have known for many years that the Government published matter of very great importance, but it was worthless to me and other students. That it was a mine of immense wealth I knew, but it was unopened. You have opened this mine, and a "pub. doc." is now as valuable as the publications of the great houses. (J. W. C. Bonté, secretary University of California.)

I really do not see how the Index could be improved. Now what we shall "cry for" is the extension of an index on this plan to cover the whole period of the existence of the Government. We have never had an index of public documents worthy of the name before. (W. I. Fletcher, librarian Amherst College.)

Every good citizen ought to be, and I am sure every librarian is, grateful to you for the practical labor of love which has produced such an excellent index. The plan should be extended so as to cover all the publications of the Government. When the people pay such vast amounts for the printing of public reports, they will demand an index like this to make the results of such large expenditure available. It is just what every librarian, every publicist, and everyone who has an interest in the development of any sphere of modern research imperatively needs. I can not compare it with any previous attempts at indexing, as there is nothing in common. Yours is incomparably superior. (C. B. Tillinghast, State librarian of Massachusetts.)

I am surprised and gratified to see the thoroughness with which you have indexed the literature, and the clearness of the system which enabled me at once to find the subjects to which I wished to refer. I congratulate you upon the success of your laborious undertaking, and sincerely trust the means will be provided for the indexing of all the publications of the Government. (Charles D. Walcott, Director United States Geological Survey.)

The plan commends itself fully to me. The great value of this index will become more and more apparent as time goes on. There is no question that a similar index to all other public documents would be of the very greatest utility, both to public officials and to the general public. (A. W. Greely, Chief Signal Officer, U. S. A.)

Your Index is admirable and I sincerely hope that you will be given the power to make a general index of Government publications on this plan. (Addison Van Name, librarian Yale University.)

Your incomparable index renders available a vast store of political, scientific, and technical knowledge heretofore inaccessible, and whose existence was comparatively unknown. Nothing could be more satisfactory than your arrangement of the Index. (E. A. Grant, secretary Polytechnic Society of Kentucky.)

I find it in every way admirable. I do not see wherein or how it could be made better in plan. It guides one in every probable direction of inquiry as to the public documents, and, so far as it goes, completely mines the contents of that vast mountain of print in which so much important information is now uselessly buried. To extend the same work to the whole mass of Government publications would be an enterprise of more public utility by far than the building of a dozen war cruisers. (J. N. Larned, superintendent Buffalo Library.)

The plan is an admirable one. I do not know of any library publication within the past five years which has the practical, all-round value of this volume. (T. E. Willson, librarian New York World.)

I have examined with great interest your Index of Government Publications, 1889–1893, just issued, and it so completely meets my views of what such a work ought to be that I wish to express to you my personal thanks for the service you have rendered. I sincerely hope that you may be enabled to prepare a complete index of all Government publications to date. Nothing that the Government can do, in the way of publication, would be more heartily appreciated by librarians and others. (W. B. Shaw, editor Review of Reviews.)

I think the book is a marvel of condensation. I have made enough indexes to know that, simple as your work looks, it was the result of much toil and thought. (H. E. Scudder, editor Atlantic Monthly.)

The importance of this publication is not to be measured by its comparatively limited scope, but rather by the promise it gives of a systematic and exhaustive general index of all the publications of our National Government. Now that an example has been given of what such an index should be, may we not hope that Congress will make the necessary appropriations for the work? Just such a key is needed to unlock the vast stores of really valuable matter now indiscriminately condemned to the oblivion from which few "pub. docs." hope to escape. (Review of Reviews.)

A valuable because carefully studied and well-devised index. The editor has had many difficulties to overcome, but his method appeals to the judgment. (Atlantic Monthly.)

No intelligent person, in or out of Congress, can examine Mr. Ames' index without blessing him for it, and seeing in it a help to consistent and thoroughly informed legislation and much else besides. For one thing it makes the public document no longer lumber in our public libraries, but a part of the general circulation. Mr. Ames' conception of his index, which we wish we could describe in his own words, seems to us very just, and the execution of it as nearly perfect as could be expected. Every journalist ought to desire to possess, and every library ought to be supplied with, this volume. (The Nation, New York.)

This index system differs from any heretofore applied to Government publications. Dr. Ames proceeds upon the theory that in 99 per cent of the research made into the contents of public documents the end primarily aimed at is information concerning a subject. It is hoped whoever takes up the work of indexing provided for in the new public printing act will study Dr. Ames' model. It is the result of many years' experience and a wider acquaintance with the practical requirements of libraries than is possessed, perhaps, by any other officer connected with the publication and distribution of public documents. (New York Evening Post.)

Its value as a guide to those who seek information that has been published by the Government is very great. Now that Dr. Ames has shown the Congress that such an index can be made, and made intelligibly, there can be no doubt whatever that the Congress will insist that an index on the suggested plan shall be made at regular periods, probably once a year. (New York Times.)

The value of the work of Dr. Ames can hardly be overestimated. (New York World.)

This index is the best one of its kind we have ever seen. It is truly comprehensive. Mr. Ames has accomplished a much-needed work. It is to be hoped that in the early future Congress will authorize the preparation of an index of all of the publications of the United States Government on a plan as comprehensive as the one carried out in this volume. (The Voice, New York City.)

It is difficult to see how the plan adopted by Mr. Ames could be improved upon. (Public Opinion.)

It is the first time anything of the kind has been done in a comprehensive way, and the value of the work of Mr. Ames can hardly be overestimated. (New York Evening World.)

It is a remarkable piece of work. An index on a like scale for the entire period of the Government would be of great value. (Springfield Republican.)

The Index which Mr. Ames presents in this volume is, so far as Government indices in this country are concerned, worthy the designation "unique." The plan is wholly his own and is the result of long experience. That the volume met with instant approval is not at all surprising. Librarians and public men have been enthusiastic in their commendation, and there is now a general desire for the prompt application of the Ames system of indexing to all our national publications. (Evening Star, Washington.)

A valuable—or, in fact, an invaluable—volume. Nothing of this kind has ever been prepared before, and it is by far the most satisfactory index that has ever been published. It would serve the convenience of everyone who has business to do with the Government if there could be a similar index made of all publications from the beginning of its existence. (Chicago Record.)

A work of great value to public men, libraries, and those who have occasion to consult the documents that issue from the Government Printing Office at Washington. (Argonaut, San Francisco, Cal.)

This is an exceedingly valuable reference book. By its use one can quickly determine to what source to apply for any of the publications of this Government. This book is very exhaustive in its compilation of material. The author seems to have left out nothing that would in any manner have added to the usefulness of the work. (Hamilton Review, Clinton, N. Y.)

Heretofore there has never been any complete index of the multitude of publications issued by the United States Government. Mr. Ames is the Superintendent of Documents, and his familiarity with the subject has enabled him to do what probably no other man could, unless we except Mr. Amzi Smith, the superintendent of the Senate document room. (The Engineering and Mining Journal.)

Mr. Ames's new index gives a foretaste of the usefulness of Government documents under a proper system of indexing. It is probable that the method adopted, or invented, by Mr. Ames is, on the whole, the best to serve the several purposes of an index of Government publications, supplemented, as it is, by a careful "personal index." The tabular form strikes the user at first sight as more complicated and less agreeable to the eye than the ordinary method of library entry, but it must be confessed that it proceeds on a very ingenious and, on the whole, clear system, giving, as it does, not only a clean title but an easy reference to the several forms of publication. (The Library Journal, New York.)

It would be hard to overestimate the value of this Index, opening up as it does a vast storehouse of general information on all the latest and most important subjects of knowledge, which has been up to the present almost inaccessible for want of such an index. Your work will supply a long-felt want in our library and be of great use to readers. The cordial thanks of all librarians are due to you. (The librarian of the Public Library, Melbourne, Australia.)

I think your plan is admirable, and is by far the most intelligent and comprehensive list I have seen. The make-up, too, is good, being clear and easily understood. (Worthington C. Ford, Chief Bureau of Statistics, Treasury Department.)

There can exist no doubt as to the exceeding value of the work which you have, under so many difficulties, undertaken. Your pages have a clear look which must, I know, please every librarian who has used the Descriptive Catalogue of Poore or who has relied upon his own cards. I am sure the completion of your work will mark a new era in the use of the United States documents in libraries. (Arthur R. Kimball, librarian New Hampshire State Library.)

I wish to express to you my satisfaction with the plan and execution of your work. It is helpful, and, indeed, indispensable for the period which it covers, and a similar index to all the Government publications would be beyond price. (Geo. C. Hurlbut, librarian American Geographical Society.)

I have nothing but unqualified admiration to express for the manner in which you have gotten up the Index. I am in a position to thoroughly appreciate its utility, and I am altogether in favor that a similar index of all other public documents be prepared and published. (David Fitzgerald, librarian War Department.)

I have examined the Index with pleasure. It seems to me that you deserve high credit for the public spirit which you have displayed in taking upon yourself so much extra work, and also for the excellence with which you have accomplished your task. It seems to me that the work which you have so well begun should be continued in order that the treasures which have been accumulated at so much cost may be rendered available. (Richard T. Ely, professor University of Wisconsin.)

I am delighted with the volume of Index to Congressional documents for 1889–1893. It is precisely what we need every day for the whole series. I hope the day is not far distant when a comprehensive index to the whole set on the same lines and in the same form as this for the last four years may be undertaken. (Wm. C. Lane, librarian Boston Atheneum.)

At last we have an index worthy the name. If Congress would now make an appropriation for a similar index to all documents published by the Government it would win the hearty thanks of every librarian and scholar in the country, and of many abroad. (Horace Kephart, librarian Mercantile Library, St. Louis, Mo.)

The arrangement you have adopted in this index is exceedingly clear and easy of comprehension, making it possible to be used by the most obtuse people. I consider the work far above anything we have thus far had in this line. (Wm. T. Peoples, librarian Mercantile Library, New York.)

The idea of preparing the index was an inspiration, and, great as the labor on it has evidently been, I can think of no place where the same amount would have given as valuable results. It will be indispensable in all libraries and invaluable to everyone who has occasion to consult public documents. It should be extended to cover everything that has ever been printed by the Government. (Archibald Hopkins, chief clerk Court of Claims.)

This index will be of the greatest value to the museum in looking up such Government publications as are required in the scientific library. It seems to be prepared with the greatest carefulness as to details, and I can not understand why the Government should have dispensed with an index of this character for all these many years that it has been turning out thousands of publications. (F. L. Skiff, director Field Columbian Museum.)

Your Comprehensive Index is a most valuable contribution to bibliography. It is just what this library has needed and longed for. The profession owes you a debt of gratitude. (Charles Orr, librarian Case Library, Cleveland, Ohio.)

It seems to me an admirably done piece of work and a distinct advance upon the "descriptive catalogue." You have placed the librarians of the country, and others who have occasion to consult the Government publications, under a marked obligation to you. (N. Murray, librarian Johns Hopkins University.)

The index for 1889-1893 commends itself in high degree by its simplicity and comprehensiveness. It reflects great and notable credit on the Government, and, if you will permit me to say it, on your own public labors. (Luther E. Hewitt, librarian Law Association of Philadelphia.)

I do not hesitate to pronounce that you have filled a want which has long been felt by librarians and by the public generally. Your plan of publication seems to be so complete that I see little room for criticism. (Richard Rush, superintendent Naval War Records.)

I wish to express my appreciation of its excellence, its usefulness, and of the great labor which it must have cost you. (J. C. B. Davis, reporter of Supreme Court.)

The volume is exceedingly well done, and has permanent value. The Government could not easily do better work than index all Government publications in the same manner, beginning with 1774. (C. W. Ernst, ex-assistant postmaster, Boston, Mass.)

I use the Index constantly and find it of great value as a guide through what has been till now an almost inpenetrable labyrinth—the "public documents." (A. M. Jellison, librarian Mechanics' Institute, San Francisco.)

The Index shows masterly industry, carefulness, and skill in its construction. I have been intimately associated with book making for twenty-five years, and of indexes, great and small, I have made many, but I have never undertaken any task in this direction so truly "comprehensive" as this you have sent to me, and I give you my unqualified praise for the manner in which you have accomplished it. (A. W. Stevens, ex-superintendent of proof-reading department of University Press, Cambridge, Mass.)

The Index has been examined by myself and two assistants, and we find in it everything to commend and nothing to criticise. We are indeed very grateful for the help it will give us. Such an index for all Government publications would be simply invaluable. I am sure that no more important work could be undertaken and that no publication could be made that would bring more valuable results. (F. M. Crunden, librarian Public Library, St. Louis, Mo.)

I am astonished at the amount of work represented in it. It is admirably adapted to its purpose, and you deserve the unqualified thanks of all librarians for the very useful tool you have supplied them with. (W. J. James, librarian Wesleyan University, Middletown, Conn.)

I am prepared to express my high appreciation of its merit. As compared with the Descriptive Catalogue of Government Publications compiled by the late Major Poore, I can say, without hesitation, that its superiority is so great that any comparison of the two becomes simply contrast. (William Rice, librarian City Library Association, Springfield, Mass.)

The more we use your Index the more we are delighted with it. It is a wonderful improvement on the Poore index. (Zella A. Dixon, librarian University of Chicago.)

I am glad beyond expression to see how fine an index it is. It answers, it seems to me, every needful query, and in the shortest possible time. (J. C. Rowell, librarian University of California.)

For all my purposes, both as librarian in aiding information seekers and as an individual interested in many things contained in our Government publications, this index "fills the bill" admirably, and I find it very satisfactory. I only hope that it will now be possible to have this good work continued as to subsequent Congresses, and then taken in hand for prior years. (Henry J. Carr, librarian Public Library, Scranton, Pa.)

It is just what all libraries want—a key to unlock the public document labyrinth. (Bernard C. Steiner, librarian Enoch Pratt Free Library, Baltimore.)

I consider it an invaluable aid in discovering the buried treasure in the general publications of the Government, and only wish it covered the ground prior to 1889. (First assistant librarian Public Library, Columbus, Ohio.)

It is certainly invaluable to any who would consult the publications of the United States Government. (L. G. Adkinson, president New Orleans University.)

Like all invaluable things the arrangement is a simple one and appeals directly to one's common sense. It is an excellent key to a mine of wealth that now only neces-

sitates a rearrangement of documents upon the shelves, and this Index suggests a uniform plan whereby this can readily be accomplished. You have rendered libraries a national service. (C. F. Waldo, librarian Public Library, Jackson, Mich.)

It is a remarkable time saver and will be invaluable to libraries. (A. M. P. Hamby, librarian Indigo Society, Georgetown, S. C.)

I am greatly pleased with the Index. While concise and comprehensive, it is perfectly clear, and for facility of reference nothing could be simpler. (Richard Bliss, librarian Redwood Library and Atheneum, Newport, R. I.)

I find it well arranged, enabling one to refer readily to any paper embraced in the various documents. This is a new experience in general library work. You have certainly rendered a noble service to the public, and especially to all the large libraries in the country. (I. C. Houghton, librarian Free Public Library, Lynn, Mass.)

The Index will be of the greatest value to the libraries of the country, and it is to be hoped that the work may be continued from year to year. (E. H. Anderson, librarian Carnegie Free Library, Braddock, Pa.)

I think it of inestimable value to anyone wishing to use the United States Government books. (Angie Neff, librarian Public Library, Duluth, Minn.)

It furnishes a key enabling me to unlock for public use a vast treasury of useful information which had hitherto been sealed. (Minnie H. Graw, librarian Public Library, Mankato, Minn.)

It opens up a storehouse that has heretofore been most effectually locked and barred. (Librarian Public Library, Lafayette, Ind.)

It seems to me that the fact that every time we have used the Index we have at once found what we were looking for is test enough, and that is true of our use of it. I congratulate you on your success in making such a good index. (Eliza Gordon Browning, librarian Public Library, Indianapolis.)

I find it, to my seeming, perfect. It would be of greatest value to extend the work so as to include, as soon as practicable, all the public documents. (I. Hammett, librarian Allegheny College, Meadville, Pa.)

I think the Index excellent, and an invaluable aid in unlocking the treasures of the Government's publications. An entire index would be very useful. (Arthur Piper, librarian Racine College, Wisconsin.)

I consider it a work likely to prove extremely useful to librarians, and I am anxious to see the system extended to all the public documents. (C. F. Pierce, librarian Wellesley College.)

I think your index invaluable, simple, and accurate. (Charles Knowles Bolton, librarian Brookline Library, Massachusetts.)

It is impossible to overestimate the value of such a compilation. No one who wishes to know what the Government is doing in the way of book making, or who wishes to keep abreast of the advances in scientific information, can afford to be without access to these pages. (Alfred S. Roe, Worcester, Mass.)

It has been of great use to me and I feel called to offer my compliments and the expression of great satisfaction with the work. (Ernst von Halle, Hamburg, Germany.)

It is a pleasure for me to welcome the appearance of a Government index compiled with intelligence and skill as well as thoroughness; and I sincerely hope that if Congress authorizes a general index of documents an express condition of that act shall command the indexer to follow your model closely in all essential respects. (Librarian University Club, New York City.)

I congratulate you upon having developed a scheme of indexing Government publications which appears to meet all reasonable requirements. This is something of which librarians, at least, have long felt the want. I wish it might be possible for you to cover the whole field in some such way. (H. M. Utley, librarian Public Library, Detroit, Mich.)

The Index is very complete and exhaustive, the arrangement being such as to enable one to refer to the title of any particular document without being delayed by cross references. (John T. Doyle, secretary Civil Service Commission.)

It seems to me to be admirably conceived. All of the questions I put to it were answered by simply turning the leaves sufficiently to reach the proper place in the alphabet. (R. C. Davis, librarian University of Michigan.)

It seems to me by all odds the best index to public documents that I have ever seen. (Lodilla Ambrose, librarian Northwestern University, Evanston, Ill.)

It does not seem feasible to make a more intelligible index to the Government publications than you have presented. (E. G. Dunnell, correspondent New York Times, Washington, D. C.)

Your system is preferable to Major Poore's. Yours is concise, definite, and with precision gives references, and traces the Congressional proceedings to the satisfaction of investigators. Such an index carried back over all the Congressional publications will place them in an available position for reference and investigation. (Peter Neff, librarian Western Reserve Historical Society, Cleveland, Ohio.)

I am very much pleased with its arrangement. To me it is very satisfactory, and I know it will be to other librarians who may have occasion to refer to the various documents issued by the Government. (William H. Egle, State librarian of Pennsylvania.)

Your plan of indexing is admirable and, it seems to me, fully adequate to the main requirements. I fully concur with the Honorable Secretary of the Interior in commending its merits, and in the hope that the whole series of public documents may be indexed on the same plan. (Wilberforce Eames, librarian Lenox Library, New York.)

I beg to express my profound appreciation of the extensive and intelligent labor embodied in this production, and wish to declare, also, the hope that Congress will not fail to clinch the value of the Government documents by providing for the preparation of a similar index to all of its publications. (Charles W. Birtwell, general secretary Boston Children's Aid Society.)

We are so much pleased with it that no thought of any improvement has as yet suggested itself. (Mary H. Curran, librarian Public Library, Bangor, Me.)

I have only congratulations to offer you upon the thorough and able manner in which your work has been performed. The general arrangement of the Index seems admirable, and I am sure your work can not fail to be of great value to all who have occasion to consult the public documents. (A. D. Little, chemical engineer, Boston, Mass.)

I have found it perfectly satisfactory and superior in every way to the descriptive catalogue prepared by the late Major Poore. (F. D. Stone, librarian Historical Society of Pennsylvania.)

I am greatly pleased with the arrangement and method of the Index, and in these respects I regard it as superior to any index with which I am familiar. (J. L. King, State librarian, Topeka, Kans.)

I have already found it useful. I hope your work will be continued with reference to the past as well as to the future. (George S. Boutwell, ex-Secretary of the Treasury.)

I have found no particular in which I could suggest amendment. Now that I have seen the work, I am more than ever anxious that the entire field be covered. (M. C. Muhleman, office of assistant treasurer of United States, New York.)

Even slight examination serves to impress me with an idea of its great usefulness and intelligent construction. The method of arrangement is much preferable to that in Major Poore's Descriptive Catalogue. (James G. Barnwell, librarian Library Company of Philadelphia.)

It is not only comprehensive, but simple for reference—the two primary qualities which give to an index its value. The arrangement is indeed a creditable one. Only a person who has tried to use public documents can fully appreciate your achievement. Not only the library profession, but the public at large is under obligations to you for having given them this index. (Adelaide R. Hasse, assistant librarian Public Library, Los Angeles, Cal.)

It is a work that you may well be proud of, and I am sure it will be of the greatest help to many in finding material of importance for which they would otherwise search in vain. (A. M. Gallaudet, president Columbian Institution for the Deaf and Dumb, Washington, D. C.)

A difficult task has been grappled with and accomplished. I believe the general plan excellent, and it has been well executed, and I sincerely hope that provision will be made for continuing the work, both forward and backward. (Marcus Baker, United States Geological Survey.)

A very valuable index. It will be of great assistance to me in my official work. (John M. Wilson, colonel, U. S. A.)

I heartily commend the plan upon which it is prepared, being far superior in method and comprehensiveness to any other index of like nature so far issued. (J. J. Noah, correspondent Rocky Mountain News, etc.)

The Index will be of great service to us. The same plan of indexing should be extended to all other public documents. (Charles A. Boynton, Associated Press, Washington, D. C.)

It is a move in the right and very important direction of opening the hitherto comparatively sealed book of the United States publications. To anyone, be he

public officer or layman, called to investigate public questions, such indexes are invaluable, and no exhaustive treatment of a subject is possible without them. (George R. Stetson, Washington, D. C.)

I am heartily thankful for this Comprehensive Index. It seems to me that its utility can not be questioned for one moment, and that it is most desirable that a similar index of all other documents should be prepared and published. (C. V. Riley, entomologist, Department of Agriculture.)

I have examined your new Index carefully and find little to suggest that seems practicable in any single form of index. Your topical arrangement is, I have no question, far more satisfactory for most uses of the documents than a chronological would be. Your multiplied references to the same document is of the utmost importance. (Justin Winsor, librarian Harvard University.)

It must demand heroic patience to traverse so vast a field to present even the indications of such an infinitude of subjects. The immense detail of such a work in respect to all the Government publications from the beginning must some day be undertaken. It is necessary to correct history and in numerous cases needful for safe legislation. (John A. Kasson, ex-Member of Congress.)

It is a much-needed volume, arranged in admirable order, and with excellent system. Your work could not have been done better. (William Lawrence, ex-Member of Congress.)

I am glad to express my hearty approval of the general plan and character of the index, which can not fail to be of great service. (Alice C. Furbish, librarian Public Library, Portland, Me.)

It well merits the title "Comprehensive." I wish that Congress would have the Poore index revised on the same lines. (George Grantham Bain, Washington, D. C.)

For students' use the arrangement according to subjects is of far greater value than the chronological arrangement of Poore's index. (Mrs. H. O. Sibley, assistant librarian Syracuse University.)

The plan, typographical appearance, and arrangement are thoroughly admirable, and if the scheme could be continued so as to cover the past and future documents it would make them a veritable history of the country. (A. N. Brown, librarian United States Naval Academy.)

It is a work of much importance and ought to be continued. I express my sense of its great practical value. (W. F. Warren, president Boston University.)

It must meet the wants of all libraries, whether their documents are classified or arranged chronologically. (A. L. Sargent, librarian Middlesex Mechanics Association, Lowell, Mass.)

I have found it eminently satisfactory. The arrangement is perfectly plain and I invariably find what I wish to know about a publication. (Ella S. Wood, librarian Town Library, Lancaster, Mass.)

I heartily approve of your great index, which I think is a model. (William R. Cutter, librarian Public Library, Woodburn, Mass.)

The plan seems to me a most admirable one. The volume has not failed to answer any question that I have put to it. (L. S. Foster, librarian Linnean Society, New York.)

It seems to me to be just the thing so many have been longing for, and you surely have earned the gratitude of librarians and all who have occasion to use the public documents. (George T. Clark, librarian Free Public Library, San Francisco.)

An exceedingly valuable publication. (W. McAdoo, Acting Secretary of Navy.)

I think there can be but one opinion of the great and increasing value of such a work. (Samuel Henshaw, librarian Boston Society of Natural History.)

If your plan can be applied to an index of all Government publications, and printed in a large edition, it would be one of the most useful indexes I can think of, and more important, if possible, than Poole's index to periodicals. I believe you have solved one of the most serious difficulties which confront librarians—the proper indexing and arrangement of Congressional publications. (Jonathan Trumbull, librarian Otis Library, Norwich, Conn.)

It appears to be a most commendable work, and almost beyond criticism. It is a most admirable piece of work, and one long needed by the public. (I. S. Bradley, librarian State Historical Society of Wisconsin.)

It seems to me you have comprehended the difficulty of the task, and have hit upon the best method of executing the work. You have shown most admirable judgment in all its details. (John Edwards, librarian Mercantile Library, Philadelphia, Pa.)

It seems to me to fill a long-felt want. I can not see how it can well be improved I can not speak in too high praise of the plan you have adopted in its arrangement. (Geo. Watson Cole, librarian Free Public Library, Jersey City, N. J.)

I think it a work of great practical utility and convenience. (B. S. Taylor, librarian Albion College, Albion, Mich.)

Your Comprehensive Index of Government Publications, 1889–1893, seems to me a very useful publication, clearly arranged, and easy of reference. Yours has a great advantage over Poore's in the matter of quickness of reference, and shows great skill in the harmonizing of details. I should say the form of the Index was very desirable to perpetuate. (J. Herbert Senter, librarian of the Century, New York City.)

It seems to me that the plan of your work has been very thoroughly elaborated. The book fills a need that has long existed, and I am sure that it will meet with prompt recognition. (Edward M. Shepard, librarian Drury College, Springfield, Mo.)

I have now found time to examine pretty carefully your Index, and can say that it seems to me to be admirable in plan and execution. Such an index to the publications of the Government, combined with a more sane and rational plan of classification and publication of the documents themselves, would be one of the greatest possible aids to librarians and the general public. (G. F. Winchester, librarian Free Public Library, Paterson, N. J.)

I am confident that as time passes by and it is more exhaustively tested its value will be but more thoroughly proved. All librarians will be under great and lasting indebtedness to you for it. (Samuel Hart, acting librarian Trinity College, Hartford, Conn.)

I think your Index of Government Publications a fine thing. Every State ought to have a similar publication. (M. B. R. Day, State librarian of Kentucky.)

Your Index has been tested by the most expert of my staff, and is pronounced to be the very best attempt so far made to provide a clue, especially to Congressional documents. (Martin J. Tupper, librarian of Parliament, Canada.)

It is a most useful piece of work, and I hope it may be continued so as to include all the publications of the United States Government. It is so far ahead of Poore's Index that there is no comparison between them. (Gardner M. Jones, librarian Public Library, Salem, Mass.)

I must express to you my appreciation of the tremendous work you have accomplished. I am sure that every scientific student will look forward to all the publications of the Government being indexed in the admirable manner which you have devised. (Prof. Ed. S. Morse, Salem, Mass.)

The work seems to me of the most valuable character, and also of great practical utility. I most heartily wish that all Government publications could be indexed in the same way, nor do I see any reason why it should not be done. (Charles F. Adams, Boston, Mass.)

You have rendered great service to the public and to the library profession in particular through this compilation. The longer I use it the more admirable its arrangement seems. (Esther Crawford, librarian Public Library, Sioux City, Iowa.)

It is of the highest value and will be most constantly in use. Anything of the sort multiplies the use of the books greatly, and the more fully and comprehensively it is done the more the use is multiplied. (Ernest C. Richardson, librarian College of New Jersey, Princeton.)

This book is invaluable to us professors and students who are trying to dig something from the great mass of Government documents. These documents are a very rich mine, but almost unworkable without an index. I have used the Index and also put it into the hands of my students, and it seems to be quite perfect. (John Quincy Adams, professor political science, University of Pennsylvania.)

It seems to me to be a work as admirable in its execution as in its conception It will certainly be invaluable to students of economics and finance, and I sincerely hope that the Government may see its way to apply the same system to the indexing of all governmental publications. (Edwin R. A. Seligman, professor Columbia College, New York.)

The work is of incalculable service, and reflects a degree of credit upon your care and industry that our country can not be too grateful for. It should be in the library of every scientific society and in every library where Government publications are received. (Jos. P. Thompson, acting librarian Society of Natural History, Portland, Me.)

I find it most convenient and most useful—a marked improvement in matter and form upon anything of a similar character within my knowledge that has preceded it. (Andrew H. Allen, chief Bureau of Rolls and Library, Department of State.)

No librarian can fulfill the requirements of his position, in regard to Government publications, without such an index. (H. S. Wheeler, acting librarian Historical Society of Montana.)

All librarians are certainly indebted to you for your work. It is the key, and that is what has long been wanted. (William J. Seever, secretary Missouri Historical Society.)

You have done excellent work and I sincerely hope it will be extended to all the publications of our Government from the beginning. (C. A. Cutter, librarian Forbes Library, Northampton, Mass.)

I am sure the work will prove of great service to me. It must be a great gratification to you to know that you have connected your name in this way with an official publication of a kind which will grow more and more valuable with the lapse of time. (George W. Atherton, president Pennsylvania State College).

It is going to be of great value to us in the library. No catalogue heretofore published by the Government has been of any value to persons looking up material on a given point. But this one of yours gives what is wanted in the way that is wanted. (Caroline H. Garland, librarian Public Library, Dover, N. H.)

I think you have overcome the various difficulties of both author and subject in a masterly way, and I congratulate you on your success. (George E. Wise, M. D., assistant librarian Newberry Library, Chicago, Ill.)

The arrangement of the Index is all that one can ask. It will enhance the value of all Government documents. (D. L. Kingsberry, acting secretary Minnesota Historical Society.)

I take pleasure in expressing my hearty approval of the work. It would indeed prove a great boon to libraries if this work could be extended so as to take in all Government documents from the foundation of the Government down to date. (Daniel F. W. Bursch, librarian Library Association, Portland, Oreg.)

I find it an exceedingly useful work. I am decidedly of the opinion that it is very desirable to have the same system applied to the indexing of all Government publications. You have done a great public service which I hope will find adequate appreciation. (C. Schurz, ex-Secretary of the Interior.)

I regard it as quite superior. It appears to me to be well conceived, so as to promote the purposes of inquiry, and to be well executed. Such an index of Government publications from the beginning to this date would be beyond price. (Edw. McPherson, ex-Secretary of the Senate.)

I have examined it with great interest. During an official connection with the United States Government for twenty years, and also as a private citizen, I have had frequent occasion to delve into the public documents in search of facts, and I can now see that with the aid of such an index as you have prepared I could have been saved hundreds of hours of vexatious toil. (Silas W. Burt, New York.)

This Index has long been needed, and now the Government publications may no longer be sealed books to the general public. (L. C. L. Jordan, assistant secretary Cooper Union, New York.)

I shall find it extremely valuable and helpful in my work, and a key that will unlock bibliographical treasures which have many times baffled me. I am sure all public-spirited citizens, and especially all students who have occasion to use the recent publications of the United States Government, owe you a very hearty vote of thanks for the time and trouble you have saved them and the knowledge you have made accessible to them. (Walter F. Willcox, professor Cornell University, Ithaca, N. Y.)

I find it thoroughly satisfactory. I think it can not be too highly commended, and only wish it were possible to have such a one for the entire set from the beginning. (Electra C. Doren, librarian Public Library, Dayton, Ohio.)

The system seems to me very admirable, and its extension to the indexing of all public documents a thing very much to be desired. (Richmond Mayo-Smith, professor Columbia College, New York.)

The Index has been carefully examined by myself and other members of the society, and the uniform opinion is that it is extremely serviceable and valuable to one engaged in researches in the Government publications. (D. G. Brinton, secretary American Philosophical Society, Philadelphia.)

It seems to me the plan outlined in your preface is an excellent one. I should think that by superseding partial indexes by such a compilation as yours you could actually diminish the aggregate expense while greatly increasing the value of the work. (William D. Foulke, Richmond, Ind.)

Your work seems to me to be a very careful and painstaking one, and made with a knowledge of the wants of those who are in need of such an index. (W. T. Harris, Commissioner of Education.)

It is a very valuable help to us in all work among public documents. It is indeed a valuable addition to our library. (Mary C. Spencer, State librarian of Michigan.)

It is a work of great and peculiar difficulties, admirably conceived, and well carried out. (H. Carrington Bolton, New York City.)

Your Index to Government Publications has been in use here since January last, and I am glad to say that it has proved entirely satisfactory, and I would strongly recommend that the earlier sessions of Congress should be indexed in the same manner. (T. J. Kiernan, superintendent of circulation, Harvard University.)

I think it a very valuable publication and that the same system should be applied to the indexing of all public documents. (D. E. Salmon, Chief Bureau of Animal Industry.)

The Index meets my complete favor, and justifies in every respect its title "Comprehensive." (E. E. Strickland, librarian Buffalo Historical Society.)

It is to us a very valuable book, and helps us greatly in our library work. (C. A. Gilman, State librarian of Minnesota.)

The work seems to me perfect in arrangement and execution. No greater service, in order to render all our public documents available, could be rendered. (T. Hammett, librarian Allegheny College, Meadville, Pa.)

It is certainly the work that has long been needed. You have made the work so complete and convenient that at present I do not see how it could be well improved. (Robert D. Smith, president Columbia Athenæum, Columbia, Tenn.)

For anyone using the Government documents your index brings inestimable relief. I have not a single suggestion to make or wish to express, except that all speed may be given to the work of making the Index include all the documents of the Government. (M. D. Bisbee, librarian Dartmouth College, Hanover, N. H.)

We consider the Index a very valuable acquisition to this library, utilizing, as it does, such quantities of material that have been to a large extent lost to the public. I most heartily approve of the work, and trust that you will be enabled to prepare the completer one. (W. D. Perkins, State librarian of California.)

I am struck with the fact that it has been planned by one having not merely a theory of an index, but by one who has matured his plan by practical experience of what was needed. (Alice C. Fletcher, Washington, D. C.)

I am free to say that so far as I can see the Index is above criticism. Having done some bibliographical work, I know from experience how long and difficult your task must have been. (Wm. Hosea Ballou, secretary Westchester Free Hospital, New York.)

The combination of an alphabetical arrangement of subject index with an alphabetical arrangement of authors in connection with each subject is the most convenient I have ever seen and must be the result of an enormous amount of labor. I congratulate you on the general excellence of the Index. (Lieut. F. Singer, Chief Intelligence Officer, United States Navy.)

I am convinced of its great value to all those who have occasion to refer to the publications of the United States Government. (John P. Meany, manager of Poor's Manual, New York.)

It is the most convenient and indispensable of my library helps. The arrangement for finding is so far ahead of anything which we have had heretofore that there can be no comparison. (John R. Commons, professor Indiana University.)

The Comprehensive Index of documents from 1889 to 1893 impresses me very favorably. Your plan is novel and the arrangement is certainly well suited for the convenience and timesaving of those who have occasion to consult Government publications. (H. B. Adams, professor Johns Hopkins University.)

Your idea of the Index of Government Publications is a most original one. It will be of great utility to me, as it will afford many hints concerning these publications which I could not otherwise obtain. (C. T. Hayberg Wright, secretary London Library, London, England.)

Your valuable Index, covering only a few years, shows what great usefulness there would be in a full and complete index of the same kind covering the entire period of the issue of public documents. (Horace Edwin Hayden, corresponding secretary Wyoming Historical and Geological Society, Wilkesbarre, Pa.)

I have found it entirely satisfactory. I think the general plan and typographical arrangement are admirable, and can not suggest any improvement. (Geo. Wm. Harris, librarian Cornell University, Ithaca, N. Y.)

I think the system which you have pursued in preparing this Index is as satisfactory as any I have ever noticed. If the publication of these documents is of any value an index such as this is the only way in which this value can be secured for future use. (David J. Brewer, justice Supreme Court of the United States.)

Its value to all interested in the subjects within its scope can not be overestimated. Its aid to newspaper writers deserves, perhaps, especial mention. (Charles N. Morgan, Associated Press, Boston, Mass.)

You have placed the library world under obligations to you. A better appreciation of the great value of the Government publications will be promoted by it. (Charles D. Vail, librarian Hobart College, Geneva, N. Y.)

I consider it faultless and most admirably and industriously put together, and deserving of the unqualified approval of all students of Government matters. (Andrew Campbell, president Literary and Historical Society, Quebec, Canada.)

I have used it myself in the department of political science. It is also used by the professors in geology, animal biology, botany, and agriculture, and it is our unanimous opinion that it is a work of the utmost value; combining accuracy, fullness, and serviceable reference. (A. Shortt, librarian Queen's University, Kingston, Canada.)

I regard your Index as a great boon to all students of American law and American history. It is constructed on correct principles, and I sincerely hope that you will be enabled to extend it so as to cover the whole field of our national public documents from the foundation of the Government. (J. B. Moore, professor Columbia College, New York.)

It is far the best index yet published. It incomparably exceeds that of Major Poore—not that he did not do the best he could with his information and facilities, but what you have done has been from unsurpassed experience, knowledge, and educated judgment. (F. G. Adams, secretary Historical Society, Topeka, Kans.)

The result of such inspection as I have made of it is to cause me very high gratification at the clearness and simplicity of method and the amount of information given in a small compass. Of its practical utility there can be no question, and I hope the Index will be extended backwards until the entire field of your Government publications has been covered. (E. W. B. Nicholson, librarian of Bodleian Library, Oxford, England.)

I am sure its excellence will make our most experienced librarians hesitate before criticising its method or arrangement. I believe it is what the country has long needed, a guide to a rich storehouse of information. Its practical value, therefore, can not be overestimated. (John B. Kieffer, librarian Franklin and Marshall College, Lancaster, Pa.)

For the service rendered in the preparation of this model for such an index you have placed all public men under an obligation, and the librarians who know what it has cost you can not be too grateful. In my judgment Congress should lose no time in making an appropriation sufficient to provide for the early preparation and publication of such an index to embrace all the publications of the Government, and I would hope it might go back to 1774. (William W. Folwell, librarian University of Minnesota.)

I can hardly see how a student whose habit is to deal systematically with public questions could do without this Index. (Edward Atkinson, Boston, Mass.)

The only way to test such an index is by actual use; seeking for something that you may wish to know. Measured by this test I have found it exceedingly satisfactory, and am led to regard it as an absolute necessity to the proper utilization of the vast mass of publications issued by the Government. The three-column plan of arrangement seems to me to suit the case exactly. (S. Newcomb, director Nautical Almanac.)

I find it admirable in every point and can suggest no improvement. (Chas. H. Burr, librarian Williams College, Massachusetts.)

I am exceedingly pleased with your Comprehensive Index of Government Publications from 1889–1893, and think it fully meets the requirements of the case. (Gregory B. Keen, librarian University of Pennsylvania.)

It is an invaluable help. I do not see how it could be improved. (F. W. Page, librarian University of Virginia.)

The Comprehensive Index has been examined with great care and interest, both by our head cataloguer and other workers in our library, and they agree with me that the arrangement is very clear and complete. This Index is something we have long been in need of. (Margaret Healy, librarian Pratt Institute, Brooklyn, N. Y.)

The Comprehensive Index of the Publications of the United States Government, 1889–1893, appears to be so minutely and thoroughly done as to be out of reach of our criticism. (James L. Whitney, chief cataloguer Boston Public Library.)

The Comprehensive Index of Publications of the United States from 1889–1893 is an extremely valuable assistance to all who have occasion to consult American public documents, and especially to persons like ourselves, not familiar with the complicated system under which your papers are arranged. I do not see how United

WASHINGTON HOSPITAL FOR FOUNDLINGS.

1715 FIFTEENTH STREET, N. W.

DIRECTORS.

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M. M. PARKER.
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Mrs. H. M. HUTCHINSON.
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S. S. ADAMS, M. D.
J. R. WELLINGTON, M. D.

REPORT

OF THE

WASHINGTON HOSPITAL FOR FOUNDLINGS.

WASHINGTON, D. C., *October 15, 1895.*

SIR: The board of directors of the Washington Hospital for Foundlings have the honor to transmit to you the annual report of that institution for the fiscal year ended June 30, 1895, in accordance with your letter, inviting attention to section 4 of the act of April 22, 1871.

Number remaining in hospital June 30, 1894		25
Number admitted during year ended June 30, 1895		49
Total		74
Adoptions during the year	9	
Deaths	23	
		32
Number remaining in hospital June 30, 1895		42
Daily average during the year		34⅔

Deaths in—

July, 1894	7
August	4
September	0
October	0
November	2
December	0
January, 1895	1
February	1
March	3
April	1
May	0
June	4
Total	23

Diagnosis.	Cured.	Improved.	Died.	Total.
Tuberculosis			2	2
Enteritis	10			10
Enterocolitis	4		3	7
Gastroenteritis	8		3	11
Athrepsia	7	5	10	22
Endocarditis			1	1
Bronchitis, acute	1			1
Furunculosis	5	5		10
Opium poisoning			1	1
Influenza	7			7
Eczema	2			2
Hydrocele	1	1		2
Intestinal indigestion	8	8		16
Tonsilitis	3			3

Diagnosis.	Cured.	Improved.	Died.	Total.
Pneumonia	2			2
Convulsions	1			1
Acute pericarditis			1	1
German measles	21			21
Scarlet fever	3			3
Pulmonary edema, acute			1	1
Emphysema			1	1
Otitis media suppurative	4			4
Ophthalmia	1			1
Total	91	10	2	103

The number of children has been so large the past year that the expenses have been greatly increased, and the directors feel compelled to ask that the appropriation for 1896–97 be increased to $7,000, as the indications are that the number of applications for admission will be greatly in excess of any previous year.

We deem it advisable to call your attention to the fact that there were 23 deaths this year, while during the year ended June 30, 1894, there were 44 deaths.

This great reduction in mortality, exceeding that of any previous year, has been attained by the valuable assistance of the matron and her corps of intelligent and faithful nurses.

Respectfully submitted by the board of directors.

Z. T. SOWERS, *President.*

Hon. HOKE SMITH,
Secretary of the Interior.

REPORT

OF

THE MARITIME CANAL COMPANY OF NICARAGUA FOR THE YEAR 1895.

NEW YORK, *December 2, 1895.*

SIR: Pursuant to section 6 of the act entitled "An act to incorporate the Maritime Canal Company of Nicaragua," approved February 20, 1889, which provides the said company shall make a report on the first Monday of December in each year to the Secretary of the Interior, and in accord with instructions prescribing the form of such report and the particulars to be given therein, the said Maritime Canal Company of Nicaragua reports as follows:

First. That the regular annual meeting of the company was held at No. 54 Broad street, in the city of New York, on the 2d day of May, 1895, pursuant to the provisions of the by-laws, and that at such meeting Messrs. Charles P. Daly, Daniel Ammen, Horace L. Hotchkiss, Henry E. Howland, and Robert Sturgis were duly elected directors of said company to fill the places made vacant by the class whose term of office expired on the 2d day of May, 1895, and to serve for the period of three years, as provided for in the said act of incorporation; and that Alexander T. Mason and George West were also duly elected directors of said company to fill vacancies existing in the class of 1897, and to serve for two years from the date of election.

Second. That the board of directors of said company as now constituted is composed of the following stockholders:

Class of 1896.—Joseph Bryan, James Roosevelt, Hiram Hitchcock, Thomas B. Atkins, and Horacio Guzman (Nicaraguan director).

Class of 1897.—F. F. Thompson, R. C. Shannon, S. E. Killner, Alexander T. Mason, and George West.

Class of 1898.—Charles P. Daly, Daniel Ammen, Horace L. Hotchkiss, Henry E. Howland, and Robert Sturgis.

A majority of the above-named directors are citizens and residents of the United States.

Third. That at the first meeting of the board of directors held after the said annual election the following officers were duly elected to serve for the ensuing year, to wit: President, Hiram Hitchcock; vice-president, Charles P. Daly; secretary and treasurer, Thomas B. Atkins. All of the officers so elected are citizens and residents of the United States. That at said meeting the following directors were elected members of the executive committee, as provided for in the by-laws of said company, to wit: James Roosevelt, chairman; Hiram Hitchcock, Henry E. Howland, F. F. Thompson, and R. C. Shannon.

Fourth. That since the organization of the Maritime Canal Company of Nicaragua 10,145 shares of the capital stock of said company have been subscribed for at par, amounting in the aggregate to the sum of

$1,014,500, of which amount $1,007,840 have been paid into the treasury in cash; that there has been paid into the treasury from other sources $102,040.31, making the total amount of cash received $1,109,880.31.

Fifth. That since the organization of the company it has paid for property, work, and labor done, and materials furnished in the execution of the work of construction of canal and in administration expenses the sum of $1,109,522.25, and 31,990 shares of the full-paid capital stock of the company of the par value of $3,199,000, and its obligations for $6,855,000 of its first-mortgage bonds. It has also issued 180,000 shares of its capital stock, of the par value of $18,000,000, in payment for concessionary rights, privileges, franchises, and other property. Two hundred and twenty-five thousand dollars of the amount first named was represented by a claim against the Nicaragua Canal Construction Company for cash advances made on account of purchase of equipment, and in liquidation of which claim the Maritime Canal Company has received and now holds in its treasury obligations representing $518,500 of its first-mortgage bonds, in addition to 2,420 shares of its capital stock, which were transferred and delivered to Thomas B. Atkins, trustee, in liquidation of said account, to be held by him as trustee for the benefit of the company.

Sixth. That the liabilities of the company consist of the amounts still due under the concessions granted to the company, of the $6,855,000 of bonds before mentioned, the said bonds being due to the assignees of the Nicaragua Canal Construction Company for work and labor done and materials furnished in the execution of the work of constructing the interoceanic canal, and of cash liabilities outstanding unpaid to an amount not exceeding $50,000.

Seventh. That the assets of the company consist of its unissued capital stock, of the $518,500 first-mortgage bonds, and the 2,420 shares of capital stock received in liquidation as aforesaid, of the concessions, rights, privileges, and franchises which it now owns, and of the plant, equipments, materials, lands, buildings, structures, railways, steamboats, telephone and telegraph lines, dredges, locomotives, cars, machinery, stores, machine shops, supplies, and other property in Central America, including the lands situated between the Lake and the Pacific, purchased from the Government of Nicaragua for the route of the canal, at a cost of $50,000, in accordance with the provisions of the Nicaraguan concession.

In August, 1893, work on the canal was entirely suspended, as has already been stated in our annual reports, because of the financial embarrassment of the construction company which had contracted with this company for the construction of the canal. The work of reorganization of that company was an arduous one and involved considerable delay. It has, however, been successfully accomplished, and the assets of the former company, including the contract with this company, have been assigned to and taken over by the Nicaragua company, a corporation chartered by the State of Vermont, and that company is making active preparation for resuming work on the canal under the said contract.

By authority of the last Congress, the President of the United States early in the year appointed a commission of engineers to examine and report upon the route and surveys of the Nicaragua Canal. In furtherance of an earnest desire to aid the commission in every proper way, this company, at its own expense, caused the entire line of the route to be prepared for their inspection, as thoroughly as it was possible to do,

and it placed its engineers, surveys, maps, etc., unreservedly at their disposal. We understand that they have concluded their labors and made their report to the President.

In witness whereof the Maritime Canal Company of Nicaragua has caused its corporate seal to be hereunto affixed, and these presents to be signed by its president and secretary, this 2d day of December, A. D. 1895.

THE MARITIME CANAL COMPANY OF NICARAGUA.
HIRAM HITCHCOCK, *President.*
[SEAL.] THOS. B. ATKINS, *Secretary.*

The SECRETARY OF THE INTERIOR.

STATE OF NEW YORK,
City and County of New York, ss:

Hiram Hitchcock, being duly sworn, says that he is the president of the said The Maritime Canal Company of Nicaragua; that he has read the foregoing annual report and knows the contents thereof, and that the same is in all respects correct and true.

HIRAM HITCHCOCK.

Sworn to before me this 2d day of December, 1895.

[SEAL.] JOS. F. X. HORGAN,
Notary Public 305, New York County.

STATE OF NEW YORK,
City and County of New York, ss:

Thomas B. Atkins, being duly sworn, says that he is the secretary of the said The Maritime Canal Company of Nicaragua; that he has read the foregoing annual report and knows the contents thereof, and that the same is in all reports correct and true.

THOS. B. ATKINS.

Sworn to before me this 2d day of December, 1895.

[SEAL.] JOS. F. X. HORGAN,
Notary Public 305, New York County.

STATE OF NEW YORK,
City and County of New York, ss:

On the 2d day of December, in the year 1895, before me personally came Thomas B. Atkins, known to me to be the secretary of the Maritime Canal Company of Nicaragua, and with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he resided in Roselle, N. J.; that he was the secretary of the Maritime Canal Company of Nicaragua; that he knew the corporate seal of said company; that the seal affixed to the foregoing report was such corporate seal; that it was so affixed by the order of the board of directors of said company; and that he signed his name thereto by the like order as secretary of the said company.

And the said Thomas B. Atkins further said that he was acquainted with Hiram Hitchcock and knew him to be the president of said company; that the signature of the said Hiram Hitchcock subscribed to the said instrument was in the genuine handwriting of the said Hiram Hitchcock, and was thereto subscribed by the like order of the said board of directors and in the presence of him, the said Thomas B. Atkins.

In witness whereof I have hereunto set my hand and official seal this 1st day of December, 1895.

[SEAL.] JOS. F. X. HORGAN,
Notary Public 305, New York County.

REPORT

OF

THE COLUMBIA RAILWAY COMPANY.

WASHINGTON, D. C., *September 26, 1895.*

SIR: Complying with request contained in your letter of the 19th instant, I inclose copy of operations of the Columbia Railway Company for the fiscal year ended February 28, 1895.

* * * * * * *

I desire to add that on June 8 I forwarded by mail, in compliance with letter from the Acting Secretary, dated May 25, 1895, a report of the operations of this company from September 1, 1871 (the date of its organization), to March 1, 1895.

Very respectfully,

JAMES B. ADAMS,
Secretary and Treasurer.

Hon. JNO. M. REYNOLDS,
Acting Secretary of the Interior.

Cash statement, March 1, 1894, to February 28, 1895.

Receipts.		Disbursements.		
Mar. 1, 1894, balance from last year	$3,742.61	Transportation	$68,108.58	
Earnings, passenger receipts	110,299.47	Maintenance	3,803.73	
Sale of old material	2,011.77	General expense	7,622.58	
Sale of tickets	76,771.00			$79,534.89
		Taxes	4,473.17	
		Interest (sundry)	1,568.89	
		Dividend	24,000.00	
				30,042.06
		Redemption of tickets	.....	77,316.42
		Balance in hands of treasurer, Feb. 28, 1895	.....	5,901.48
Total cash debit	192,824.85	Total cash credit	.....	192,824.85

Recapitulation.

Earnings and expenses, year of 1894–95:

Total passenger receipts	$110,299.47
Receipts, per day	302.19
Receipts, per trip	.91 7/10
Receipts, per mile	.17 3/10
Receipts, per passenger	.04 4/10
Total operating expenses	79,534.89
Operating expenses, per day	217.90
Operating expenses, per trip	.70
Operating expenses, per mile	.12 8/10
Operating expenses, per passenger	.03 1/10

Twelve months:	
Gross earnings	$110,299.47
Operating expenses	$79,534.89
Net earnings	$30,764.58
Fixed charges	$30,042.06
Surplus earnings	$722.52
Operations, fiscal year 1894-95:	
Pay passengers transported	2,507,476
Pay passengers, per trip	22
Pay passengers, per mile	3.24/100
Number of car trips	113,688
Number of car miles	635,648
Free transfer passengers transported	884,810
Ticket exchange:	
Tickets interchanged with foreign companies during year, number	1,566,150
Columbia tickets held by foreign companies ... number	813.036
Foreign tickets held by Columbia Railway Company ... do	753,116
Excess of Columbia tickets held by foreign companies ... do	59,920
Value of excess redeemed from foreign companies	$2,496.50

Passenger traffic.

	Number.	Receipts.
Ticket passengers carried	1,783,711	$74,321.27
Cash passengers carried	713,064	35,683.20
School passengers carried	9,735	295.00
Total pay passengers carried	2,507,110	110,299.47
Daily average pay passengers carried	6,869	.....
Daily average receipts	.....	302.19

COLUMBIA RAILWAY COMPANY,
Washington, D. C., June 8, 1895.

SIR: In compliance with your request, contained in your letter of May 25, I inclose herewith a statement of the operations of this company from September 1, 1871, to March 1, 1895.

Very respectfully,

R. F. BAKER,
President.
By JAMES B. ADAMS,
Secretary and Treasurer.

The Honorable SECRETARY OF THE INTERIOR,
Washington, D. C.

Receipts and disbursements from September 1, 1871, to March 1, 1895.

[Abstract from the books of the Columbia Railway Company.]

FISCAL YEAR 1871-72.

DR.

Cash on hand September 1, 1871 (from construction)	$28.81	
Interest on second issue of stock	2,650.00	
Receipts from all other sources	15,711.49	
		$18,390.30

CR.

Disbursed for operations	10,316.48	
Disbursed for dividends	8,000.00	
		18,316.48
Cash on hand March 1, 1872		73.83

FISCAL YEAR 1872–73.

DR.

Receipts from all sources		$39,997.65
		40,071.47

CR.

Disbursed for operations	$28,050.05	
Disbursed for dividends	12,000.00	
		40,050.05
Cash on hand March 1, 1873		21.42

FISCAL YEAR 1873–74.

DR.

Receipts from all sources		42,581.29
		42,602.71

CR.

Disbursed for operations	29,511.05	
Disbursed for dividends	12,000.00	
		41,511.05
Cash on hand March 1, 1874		1,091.66

FISCAL YEAR 1874–75.

DR.

Receipts from operations		39,476.82
		40,568.48

CR.

Disbursed for operations	29,426.92	
Disbursed for taxes	182.62	
Disbursed for dividends	10,000.00	
		39,609.54
Cash on hand March 1, 1875		958.94

FISCAL YEAR 1875–76.

DR.

Receipts from all sources		40,764.26
		41,723.20

CR.

Disbursed for operations	29,769.50	
Disbursed for taxes	284.54	
Disbursed for dividends	10,000.00	
		40,054.04
Cash on hand March 1, 1876		1,669.16

FISCAL YEAR 1876–77.

DR.

Receipts from all sources		33,807.57
		35,476.73

CR.

Disbursed for operations	25,400.58	
Disbursed for taxes	871.53	
Disbursed for dividends	6,000.00	
		32,272.11
Cash on hand March 1, 1877		3,204.62

FISCAL YEAR 1877–78.

DR.

Receipts from all sources		$34,741.78
		37,946.40

CR.

Disbursed for operations	$26,650.90	
Disbursed for taxes	775.01	
Disbursed for dividends	10,000.00	
		37,425.91
Cash on hand March 1, 1878		520.49

FISCAL YEAR 1878–79.

DR.

Receipts from all sources		35,730.64
		36,251.13

CR.

Disbursed for operations	25,371.61	
Disbursed for taxes	1,564.47	
Disbursed for dividends	8,000.00	
		34,936.08
Cash on hand March 1, 1879		1,315.05

FISCAL YEAR 1879–80.

DR.

Receipts from all sources		36,882.62
		38,137.67

CR.

Disbursed for operations	26,534.90	
Disbursed for taxes	1,562.20	
Disbursed for dividends	8,000.00	
		36,097.10
Cash on hand March 1, 1880		2,040.57

FISCAL YEAR 1880–81.

DR.

Receipts from all sources		37,892.22
		39,932.79

CR.

Disbursed for operations	27,799.01	
Disbursed for taxes	3,036.16	
Disbursed for dividends	8,000.00	
		38,835.17
Cash on hand March 1, 1881		1,097.62

FISCAL YEAR 1881–82.

DR.

Receipts from all sources		41,160.00
		42,257.62

CR.

Disbursed for operations	31,492.49	
Disbursed for taxes	1,502.28	
Disbursed for dividends	8,000.00	
		40,994.77
Cash on hand March 1, 1882		1,262.85

FISCAL YEAR 1882-83.

DR.

Receipts from all sources		$44,025.00
		45,287.85

CR.

Disbursed for operations	$33,339.51	
Disbursed for taxes	1,502.28	
Disbursed for dividends	8,000.00	
		42,841.79
Cash on hand March 1, 1883		2,446.06

FISCAL YEAR 1883-84.

DR.

Receipts from all sources		47,043.92
		49,489.98

CR.

Disbursed for operations	39,113.97	
Disbursed for taxes	1,535.31	
Disbursed for dividends	6,000.00	
		46,649.28
Cash on hand March 1, 1884		2,840.70

FISCAL YEAR 1884-85.

DR.

Receipts from all sources		48,233.44
		51,074.14

CR.

Disbursed for operations	33,810.33	
Disbursed for taxes	1,558.49	
Disbursed for dividends	12,000.00	
		47,368.82
Cash on hand March 1, 1885		3,705.32

FISCAL YEAR 1885-86.

DR.

Receipts from all sources		47,182.46
		50,887.78

CR.

Disbursed for operations	34,507.69	
Disbursed for taxes	1,561.53	
Disbursed for dividends	12,000.00	
		48,069.22
Cash on hand March 1, 1886		2,818.56

FISCAL YEAR 1886-87.

DR.

Receipts from all sources		56,382.90
		59,201.46

CR.

Disbursed for operations	42,963.64	
Disbursed for taxes	1,561.54	
Disbursed for dividends	12,000.00	
		56,525.18
Cash on hand March 1, 1887		2,676.28

FISCAL YEAR 1887-88.

DR.

Receipts from all sources		$63,668.36
		66,344.64

CR.

Disbursed for operations	$57,759.90	
Disbursed for taxes	1,560.00	
Disbursed for dividends	4,000.00	
		63,319.90
Cash on hand March 1, 1888		3,024.74

FISCAL YEAR 1888-89.

DR.

Receipts from all sources		64,236.08
		67,260.82

CR.

Disbursed for operations	59,763.80	
Disbursed for taxes	1,572.77	
Disbursed for dividends	4,000.00	
		65,336.57
Cash on hand March 1, 1889		1,924.25

FISCAL YEAR 1889-90.

DR.

Receipts from all sources		83,211.01
		85,135.26

CR.

Disbursed for operations	80,818.22	
Disbursed for taxes	1,572.76	
Disbursed for dividends	None.	
		82,390.98
Cash on hand March 1, 1890		2,744.28

FISCAL YEAR 1890-91.

DR.

Receipts from all sources		98,944.29
		101,688.57

CR.

Disbursed for operations	83,415.42	
Disbursed for taxes	1,869.39	
Disbursed for dividends	11,756.00	
		97,040.81
Cash on hand March 1, 1891		4,647.76

FISCAL YEAR 1891-92.

DR.

Receipts from all sources		118,705.59
		123,353.35

CR.

Disbursed for operations	99,694.74	
Disbursed for taxes	3,332.00	
Disbursed for dividends	16,244.00	
		119,270.74
Cash on hand March 1, 1892		4,082.61

FISCAL YEAR 1892-93.

DR.

Receipts from all sources		$123,305.47
		127,388.08

CR.

Disbursed for operations	$103,485.66	
Disbursed for taxes	3,565.08	
Disbursed for dividends	16,000.00	
		123,050.74
Cash on hand March 1, 1893		4,337.34

FISCAL YEAR 1893-94.

DR.

Receipts from all sources		116,600.27
		120,937.61

CR.

Disbursed for operations	90,711.17	
Disbursed for taxes	4,483.83	
Disbursed for dividends	22,000.00	
		117,195.00
Cash on hand March 1, 1894		3,742.61

FISCAL YEAR 1894-95.

DR.

Receipts from all sources		112,311.24
		116,053.85

CR.

Disbursed for operations	81,679.20	
Disbursed for taxes	4,473.17	
Disbursed for dividends	24,000.00	
		110,152.37
Cash on hand March 1, 1895		5,901.48

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